

119TH CONGRESS
1ST SESSION

S. CON. RES. _____

Recognizing a health and safety emergency disproportionately affecting the fundamental rights of children due to the Trump administration's directives that unleash fossil fuels and greenhouse gas emissions that contribute to climate change, while suppressing climate change science.

IN THE SENATE OF THE UNITED STATES

Mr. MERKLEY (for himself, Mr. WHITEHOUSE, Mr. MARKEY, Mr. SCHIFF, Mr. SANDERS, Mr. VAN HOLLEN, Mr. WYDEN, Ms. BLUNT ROCHESTER, and Mr. BOOKER) submitted the following concurrent resolution; which was referred to the Committee on _____

CONCURRENT RESOLUTION

Recognizing a health and safety emergency disproportionately affecting the fundamental rights of children due to the Trump administration's directives that unleash fossil fuels and greenhouse gas emissions that contribute to climate change, while suppressing climate change science.

Whereas Congress approved the establishment of the Environmental Protection Agency in 1970 and enacted the Clean Air Act (42 U.S.C. 7401 et seq.) to exercise the United States' sovereign authority and duty to protect the air, water, lands, and seas of the United States from pollution that harms human health and welfare and the natural environment;

Whereas the administration of President Donald J. Trump exceeds its authority by directing Federal agencies, in violation of the Constitution and Acts of Congress, to unleash domestic fossil fuel production, while inhibiting the production of clean, renewable energy and electric vehicles, knowing that fossil fuel production will increase greenhouse gas emissions that contribute to climate change and injure the children of the United States;

Whereas the Executive orders of President Trump that are being implemented by Federal agencies—

(1) unleash and expand fossil fuel extraction, including what President Trump calls “beautiful clean coal”, and eliminate environmental protections, while blocking the least expensive and cleanest forms of renewable energy, such as wind energy, solar energy, and energy storage technologies;

(2) invoke emergency powers to support a false national energy emergency;

(3) increase the already-excessive United States production and reliance on fossil fuels to achieve “energy dominance”; and

(4) suppress and deny policymakers, scientists, and students access to critical climate science data and information;

Whereas President Trump’s declaration of a national energy emergency is false because—

(1) the United States is producing more oil and gas than at any other time in history;

(2) energy experts report that, since 2020, the United States has exported more petroleum (products made from crude oil) than it has imported, and the experts agree that the United States has ample energy re-

sources to meet its needs in 2025 and into the future;
and

(3) the production of less costly, clean, renewable energy and electric vehicles is being impeded;

Whereas the Administrator of the Environmental Protection Agency and President Trump are defying the Agency's core mission to abate pollution and preserve "the Earth as a place both habitable by and hospitable to [hu]man[s]" as approved by Congress, by disregarding its statutory mandates and permitting exemptions, resulting in the emission of hazardous air pollutants and the promotion of fossil fuel development;

Whereas experts, including physicians and other public health experts, have found that President Trump's Executive orders will increase air pollution and cause at least an additional 195,857 deaths over the next 25 years;

Whereas there is no compelling government interest in unleashing fossil fuel energy, allowing destabilizing amounts of greenhouse gas emissions to enter the air, and endangering the Earth's life support systems and young people's right to life;

Whereas the Constitution of the United States protects children's fundamental rights to life, liberty, and property and equal protection of the laws;

Whereas the United States was founded on a stable climate system necessary for children to exercise their rights to life, liberty, and property, which include rights to the pursuit of happiness, dignity, personal security, family autonomy, bodily integrity, and the ability to practice cultural and religious traditions;

Whereas the right to life, as the Framers of the Constitution intended, includes the right of current and future generations to pursue happiness, vitality, and a full lifespan;

Whereas there is overwhelming scientific consensus that human-caused greenhouse gas emissions from the extraction and burning of fossil fuels causes unprecedented warming on Earth and has dangerous impacts to the climate system;

Whereas the atmospheric carbon dioxide concentration has risen from 350 parts per million in 1988 to over 424 parts per million in 2024 due to accelerated fossil fuel use, when carbon dioxide levels hovered no higher than 285 parts per million for most of human life on the planet;

Whereas fossil fuel-induced temperature increases are dangerously accelerating faster today than they did during the 20th century, with the 10 warmest years on record all occurring since 2015;

Whereas a substantial portion of every ton of carbon dioxide emitted from the production and combustion of fossil fuels persists in the atmosphere for at least centuries, and if fossil fuels continue to be produced, the steady accumulation of carbon dioxide in the atmosphere will lead to—

- (1) the continued heating of the Earth;
- (2) the loss of ice sheets and glacier mass with sea level rise; and
- (3) an increase in extreme weather events;

Whereas the United States must accelerate its transition to clean, renewable energy across all energy sectors and pursue a trajectory consistent with reducing atmospheric

carbon dioxide to less than 350 parts per million this century to reduce Earth's global heating at or below 1 degree Celsius above pre-industrial temperatures, stabilizing the climate and protecting the fundamental rights of children;

Whereas the emission of greenhouse gas from fossil fuels is causing a public health emergency that disproportionately harms children, decreasing their quality of life, and imposing on them a lifetime of hardship because children—

- (1) are at a critical development stage in life, with brains and lungs that are not fully developed until around age 25;

- (2) spend more time recreating outdoors and have more difficulty self-regulating their body temperature, increasing their susceptibility to excess heat and poor air quality;

- (3) are still dependent on adults; and

- (4) have longer lifespans than adults, exposing them to dangerous conditions for a longer period of time than adults;

Whereas heat waves, droughts, wildfires, air pollution, heavy rainfall, flooding, hurricanes, and other extreme weather events have increased in frequency and severity due to human-caused climate change and cause acute and chronic physical harms in children through—

- (1) extreme heat that increases heat exposure and illness, shortens lifespans, and increases infant mortality by 25 percent on extremely hot days;

- (2) longer wildfire seasons with hotter and more destructive wildfires, including the devastating January 2025 wildfires in Los Angeles, California, that increase

children’s exposure to wildfire smoke, causing higher rates of asthma-related hospitalizations;

(3) greater pollen concentrations and a longer pollen season that increase the effects of allergic rhinitis suffered by 19.87 percent of children; and

(4) more dangerous infectious disease patterns;

Whereas the American Academy of Pediatrics and the American Psychological Association have found that climate change has detrimental impacts on the mental health of young people, including feelings of uncertainty about the future and an understanding that their government is disregarding the science and not protecting them from climate change, all of which result in anxiety, post-traumatic stress disorder, and other chronic impacts;

Whereas Black, Brown, Indigenous, low-income, and other vulnerable children, including children on the front lines of human-caused climate change, who have borne the brunt of climate change—

(1) often live in communities that have long suffered from systemic environmental racism and social and economic injustices;

(2) are more likely—

(A) to reside in areas close to fossil fuel infrastructure, increasing their exposure to air pollution, in the short- and long-term; and

(B) to be disproportionately burdened by adverse health or environmental effects; and

(3) are subjected to disproportionate energy costs in terms of the percentage of their families’ income spent on energy;

Whereas Acts of Congress and longstanding Federal practice provide citizens, policymakers, scientists, and students a

reasonable expectation of continued access to government-supported scientific research and data regarding climate change and its solutions;

Whereas the Trump administration has directed executive departments, agencies, and institutes—

(1) to change or remove references to climate change from Federal websites;

(2) to remove thousands of crucial climate science datasets from Federal websites;

(3) to withhold Federal funding for scientific climate research; and

(4) to punish institutions or individuals that the Trump administration labels as “environmental extremists”, causing widespread government imposed and coerced censorship;

Whereas the Trump administration’s actions that suppress climate change science cause irreparable harm to students—

(1) by denying access to critical climate change science needed to protect children’s fundamental rights;

(2) by hindering the ability of scientists, medical professionals, and students to study and publish knowledge on climate change that is critical to protect children from climate change risks; and

(3) by engaging in viewpoint discrimination through censorship, cancellation of grant funding, and the elimination of fields of scientific study that chill students’ and scientists’ protected academic speech about climate change;

Whereas President Trump’s directives to unleash fossil fuels interfere with young people’s ability to exercise—

(1) their fundamental rights to life and a stable climate system, as recognized by some State constitutions, including those of Montana and Hawaii, and the Constitution of the United States; and

(2) their rights as beneficiaries of the public trust;

Whereas the high courts of other nations, the European Court of Human Rights, and the United Nations General Assembly have affirmed the human right to a clean, healthy, and sustainable environment and the fundamental importance of a life-sustaining climate system as essential to other human rights; and

Whereas 73,000,000 children in the United States, who are denied the right to vote until they become 18 years old and are therefore politically powerless, are harmed by the Trump administration's climate and energy policies, which these children cannot influence: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That it is the sense of Congress that—

3 (1) leadership in the United States urgently
4 needs—

5 (A) to recognize and address the current
6 health and safety emergency faced by children
7 that is well documented and supported by the
8 scientific community;

9 (B) to express its opposition to President
10 Trump's Executive orders that unleash fossil
11 fuels, increase greenhouse gas emissions, block

1 the transition to vital clean, renewable energy,
2 and chill climate change-related speech; and

3 (C) to demand the Trump administra-
4 tion—

5 (i) comply with congressional statu-
6 tory mandates and reverse ongoing imple-
7 mentation of the Executive orders that in-
8 crease fossil fuel production, block clean,
9 renewable energy and electric vehicles, and
10 weaken protections for children;

11 (ii) restore the Environmental Protec-
12 tion Agency to its core mission as approved
13 by Congress; and

14 (iii) republish climate change re-
15 sources and climate science data on Fed-
16 eral websites;

17 (2) Congress and the Federal Government, in-
18 cluding the Trump administration—

19 (A) have a duty to constrain government
20 actions that harm young people's lives and de-
21 prive them of their fundamental constitutional
22 rights to only those actions strictly necessary to
23 achieve a compelling government interest; and

24 (B) should institute an intergenerational
25 system of governing that ensures equal treat-

1 ment of children by no longer discounting the
2 lives of children and future generations; and

3 (3) all energy and climate laws enacted by Con-
4 gress and Executive orders, regulations, and prac-
5 tices issued by the executive branch with long-term
6 impacts on the climate system and human commu-
7 nities should be consistent with—

8 (A) protecting children’s fundamental
9 rights to life, liberty, and property, which in-
10 clude rights to the pursuit of happiness, dig-
11 nity, personal security, family autonomy, bodily
12 integrity, the ability to practice cultural and re-
13 ligious traditions, and a stable climate system
14 necessary for children to exercise these rights;
15 and

16 (B) putting the United States on a trajec-
17 tory consistent with reducing atmospheric car-
18 bon dioxide to less than 350 parts per million
19 by 2100.