

United States Senate

WASHINGTON, DC 20510

October 4, 2022

The Honorable Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC, 20500

Dear President Biden,

Enacting the historic Inflation Reduction Act (IRA) is the most important step that the United States has taken to combat climate chaos since the passage of the Clean Air Act. The IRA has over \$300 billion in investments for climate-friendly technology and policies that will help expedite the transition to clean energy. Many of the investments will ensure that America is a leader in the clean energy economy and help build high quality jobs here at home. We urge you to make the passage of the IRA the start of your Administration's ambitious climate agenda, not the end of it.

Independent analysts project that the historic investments in the IRA will help bring U.S. emissions to 40% below 2005 levels by 2030. This is important progress, but more must be done to achieve your pledge to the international community to reduce our emissions at least 50% below 2005 levels by 2030, let alone to do our fair share to address the climate crisis. We will only achieve these targets if you build off the momentum of the IRA with strong executive action.

We urge you to take the important next step of declaring a climate emergency and unlocking the full tools at your disposal to address this crisis. Declaring a climate emergency could unlock the broad powers of the International Emergency Economic Powers Act and the Stafford Act, allowing you to immediately pursue an array of regulatory and administrative actions to slash emissions, protect public health, support national and energy security, and improve our air and water quality. We do not urge you to use emergency powers lightly. We fought President Trump's efforts to misuse executive power and sideline Congress, including to build a wasteful and destructive border wall. A president's emergency powers should not be used wantonly. What we cannot afford, however, is to shy away from tackling the climate crisis just because President Trump misused the National Emergencies Act. If ever there is an emergency that demands ambitious action, climate chaos is it.

We also urge you to direct the Environmental Protection Agency (EPA) to rapidly develop a bold array of rules to reduce carbon dioxide, methane, and other pollutants from coal- and gas-fired power plants, cars and light trucks, heavy-duty vehicles, and oil and gas facilities. These actions will help protect public health nationwide—particularly in environmental justice communities—and fulfill the EPA's statutory requirements under the Clean Air Act. Your Office of Management and Budget should forthwith promulgate an updated social cost of carbon and require its use throughout government decision-making, including in areas where it can be particularly effective, such as in establishing procurement standards and royalty rates. Your Department of the Interior should move boldly to limit carbon pollution from fossil fuels

produced on public lands and waters, and your Department of Energy should update a plethora of energy efficiency rules and promote the deployment of energy-efficient technologies that will reduce carbon pollution and save consumers money. Your Department of Transportation should maximize the adoption of electric vehicles, push states to reduce their transportation-related greenhouse gas emissions, and support the electrification of our mass transit. Your Department of Defense, the world's single largest consumer of oil and one of its top emitters¹, should transition its non-tactical vehicle fleet to electric and zero-emission vehicles, install solar panels on military housing, and take other aggressive steps to decrease its environmental impact. Likewise, your Department of Justice should investigate the fossil fuel industry for its decades of lying about its products and consider bringing a civil suit against the industry the way it successfully sued the tobacco industry. The climate emergency demands all this and more.

The climate crisis is one of the biggest emergencies that our country has ever faced and time is running out. We need to build off the momentum from the IRA and make sure that we achieve the ambition this crisis requires, and what we have promised the world. We urge you to act boldly, declare this crisis the national emergency that it is, and embark upon significant regulatory and administrative action.

Sincerely,



Jeffrey A. Merkley
United States Senator



Sheldon Whitehouse
United States Senator



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator



Bernard Sanders
United States Senator



Alex Padilla
United States Senator

¹ *Pentagon Fuel Use, Climate Change, and the Costs of War*, Neta C. Crawford, Boston University, June 12, 2019.



Chris Van Hollen
United States Senator



Cory A. Booker
United States Senator