



Written by [Rebecca Terrell](#) on January 5, 2011

Congressional Plans to Shackle EPA

Congressman Fred Upton (left) has the climate change movement enflamed with speculation about his upcoming tenure as chairman of the House Committee on Energy and Commerce. Last week the Michigan Republican teamed with Americans for Prosperity President Tim Phillips to publish an op-ed in *The Wall Street Journal* entitled "How Congress Can Stop the EPA's Power Grab." They described new carbon dioxide emission regulations imposed January 2 by the Environmental Protection Agency (EPA) as "an unconstitutional power grab that will kill millions of jobs."



Their editorial criticizes EPA for imposing its new rules despite unresolved challenges in court to the endangerment finding it published in December 2009, a finding that gave the agency the self-appointed go-ahead to regulate emissions ruled as hazards to public health. The rules effectively set up a cap-and-trade system by mandating companies get emission permits. Upton and Phillips advocate overturning the regulations - or at least stalling them until all the court cases are settled - to prevent EPA from setting up a "regulatory regime" that "presumes carbon is a problem in need of regulation. We are not convinced."

The Congressman also told Chris Wallace on [Fox News Sunday](#), "We are not going to let this administration regulate what they've been unable to legislate," referring to the House-passed cap-and-trade bill that [died in Senate committee](#). "We're going to have early, early hearings on this," Upton promised, adding, "we've seen a number of powerful Democrats indicate that they have real, real qualms about what the EPA is intending to do."

Upton's stance has climate change alarmists [crying foul](#), claiming he has done an about-face on environmental issues. They cite his past support of renewable energy and comments like these made in early [April](#) and [June](#) 2009: "Climate change is a serious problem that necessitates serious solutions," and "We have a unique opportunity and a responsibility to reduce emissions and preserve our economy ..."

Upton has always staunchly [opposed cap-and-trade](#), but the climate change defenders do have a point. It was after the [Climategate](#) scandal of November 2009 broke that Upton's comments became less sympathetic to the global warming crowd. In January 2010 he revealed his thoughts of what Climategate meant to cap-and-trade proposals before Congress. "No matter what we did between now and 2050," Upton said at a Detroit News meeting, "there was no real science to verify that it would reduce the temperature rise that some predicted. And that's why we do need [Climategate] hearings."

Rep. Darrell Issa (R - Calif.) also appeared last Sunday on Fox News with Upton. He is the incoming chairman of the [House Committee on Oversight and Government Reform](#). [Politico](#) reports his list of planned investigations for that committee does not even include climate change. But it also [revealed](#)



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Issa has contacted many industry leaders asking their “assistance in identifying existing and proposed regulations that have negatively impacted job growth” in their respective areas. Among these groups are the the [National Association of Manufacturers](#) and the [National Petrochemical & Refiners Association](#). According to [Politico](#), leaders of these organizations have responded that among their primary concerns EPA’s new regulations as well as similar decisions the agency is scheduled to announce soon regarding tightened restrictions on other EPA-termed pollutants.



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