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Senator Tim Huelskamp, Ph.D.

[Assignments](#)
Chairman, Information Technology
Committee

Member, Agriculture Committee

Member, Education Committee

Member, Local Government Committee

Delegate, First Congressional District
Republican Committee

December 21, 2009

Ms. Lisa Jackson, Administrator
United States Environmental Protection Agency
Ariel Rios Building Mail Code: 1101A
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

Re: EPA Ruling Concerning Greenhouse Gas Emissions

Dear Administrator Jackson,

As a duly-elected official of the Kansas State Senate, I am contacting you to formally express my strong disapproval with the Environmental Protection Agency's (EPA's) decision to declare greenhouse gases (GHGs) a toxic pollutant and to further regulate GHGs. I ask that your department withdraw its ruling so that the consequences for each state can be taken into account and so that this process can pass through the normal legislative channels of government rather than be declared by administrative fiat.

This decision represents a stark deviation from the normal federal legislative process. Decisions that impact entire sectors of the American economy should be debated and voted upon transparently in the United States Congress by elected members who can act upon the views of their constituents and be held accountable for their vote by fair and frequent elections. A unilateral ruling such as the one the EPA issued in this case circumvents the Constitutional balance of separation of powers and sets a dangerous precedent for our nation. Any policy that is both sound and urgent should have no reason for bypassing the normal legislative process outlined in our U.S. Constitution.

This decision will have far-reaching negative consequences for the state of Kansas, as well as other states across the nation. Our state produces significant amounts of both oil and natural gas, which would be subject to strict regulation under this ruling. Additionally, the agricultural sector stands to be harmed tremendously as a result of this ruling and increased input costs and further regulation. The state of Kansas produces numerous agricultural products, among them are cattle, sheep, wheat, sorghum, soybeans, cotton, hogs, and corn. These products are consumed all across America and beyond. During strenuous economic times, ordinary Kansans cannot afford to be hit with onerous

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regulations on our most crucial economic sectors. There is also concern that this could result in states being entangled for years in court battles and legal challenges to these new rules.

Other officials and states such as South Carolina, Texas, and Louisiana have all expressed similar concerns. Today, I join them in asking the EPA to rescind its decision so that economic consequences can be taken into account and so that the normal legislative process can be pursued and policies that balance scientific evidence and common sense can be implemented.

Sincerely,

A handwritten signature in blue ink that reads "Tim Huelskamp". The signature is written in a cursive style with a large, sweeping initial "T".

Sen. Tim Huelskamp
Kansas, District 38