



September 22, 2025

To: Administrator Lee Zeldin, Environmental Protection Agency

Docket ID No. EPA-HQ-OAR-2025-0194

Comments on Proposed Rule for Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards

U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460

Submitted directly to *Regulations.gov*

Administrator Zeldin,

On behalf of the Union of Concerned Scientists (UCS), our half million supporters and over 21,000 science network members, we write in strong opposition to the Environmental Protection Agency's (EPA's) proposal to reconsider the 2009 Endangerment Finding and Greenhouse Gas (GHG) Vehicle Standards. UCS puts rigorous, independent science to work to solve our planet's most pressing problems. We have long advocated for the use of the best available science to help guide policymaking to address the climate crisis.

The EPA's damaging proposal to undo the bedrock Endangerment Finding is contrary to science, law and economics. It is a blatant attempt to evade the agency's responsibility and obligation under the Clean Air Act to regulate the health-harming heat-trapping emissions driving climate change. We urge the EPA to abandon this proposal and instead focus on protecting people's health from the worsening impacts of climate change by limiting global warming pollution from vehicles, power plants, oil and gas operations and other sources.

With these comments, we highlight some major areas of concern with EPA's proposal to repeal the Endangerment Finding and appropriate actions the EPA should take. The main points we focus on are summarized below; however, lack of comment on other topics should not be read as endorsement:

1. **The Clean Air Act (CAA) clearly authorizes and obligates the EPA to set GHG pollution standards**, based on the Supreme Court's 2007 *Mass v. EPA* decision confirming that GHGs are air pollutants subject to CAA regulation and the science-based Endangerment Finding clearly establishing that these pollutants are harmful to human health and welfare.
2. **The latest climate science is unequivocal on the health-harming impacts of climate change**, building on the strong evidentiary base in the 2009 Endangerment Finding. The EPA should not use or rely on a sham science report drafted by a Climate Working Group (CWG) convened in secret by the Department of Energy (DOE) and EPA. The CWG report is rife with

errors and disinformation as well as drafted in violation of the Federal Advisory Committee Act (FACA).

3. **The latest economics supports a robust value for the social cost of GHGs (SC-GHG),** reflecting the rising economic toll of climate impacts for people today and for future generations. The EPA and the Trump administration's intent to eliminate the use of the SC-GHG in rulemakings and completely ignore climate damage costs defies rigorous up-to-date economics and the reality of people's experiences as they reel from the costs of climate-fueled disasters.
4. **The Endangerment Finding is a scientific determination of harms to health and welfare from GHGs and is not subject to policy considerations** such as the availability of emission reduction technologies or their costs. EPA's attempts to introduce these extraneous factors do not accord with the law. Beyond inappropriate, EPA's contrived argument is also factually incorrect: the reality is that there are many technologies available, affordable, and being deployed today that can help limit heat-trapping emissions.
5. **EPA's alternative reasons for overturning GHG standards are equally specious.** The EPA's attempts to sideline itself from crucial efforts to limit climate change is a shameful abdication of its mission to protect public health and the environment. Addressing global climate change will require collective action from all major emitting countries and the U.S. must do its share to help protect people from costly and deadly climate impacts.
6. **Climate change is harmful to people across the nation and is imposing a disproportionate burden on people who are most exposed and have the fewest resources.** This inequitable toll of climate change requires specific action from the EPA to ensure all people are treated fairly.

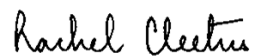
We also highlight additional comments submitted by UCS on the proposal to repeal the Greenhouse Gas Vehicle Standards;¹ comments submitted by environmental justice groups and allies; comments submitted by the Institute for Policy Integrity at New York University on the treatment of the social cost of greenhouse gases in the EPA's proposal; and joint legal comments on the proposal submitted by several groups.² We also call your attention to a letter organized by UCS and signed by more than 1000 scientists, public health experts and economists opposing EPA's proposal to repeal the Endangerment Finding.³ Finally, we append our comments submitted to the DOE on the Climate Working Group (CWG) report, since EPA has heavily relied on it for this proposal.

¹ Comment of the Union of Concerned Scientists Regarding the Proposed Repeal of Vehicle Greenhouse Gas Emissions Standards.

² The joint legal comments are submitted by several groups including Earthjustice, Natural Resources Defense Council and the Environmental Defense Fund.

³ <https://www.ucs.org/sites/default/files/2025-09/Sep%2016%202025%20-%20UCS%20Endangerment%20Finding%20Letter.pdf>

Comments submitted on behalf of the Union of Concerned Scientists by:

A handwritten signature in black ink that reads "Rachel Cleetus". The script is cursive and fluid.

Rachel Cleetus, Ph.D., Senior Policy Director, Climate and Energy Program

A handwritten signature in black ink that reads "Carlos Martinez". The script is cursive and fluid.

Carlos Martinez, Ph.D., Senior Climate Scientist, Climate and Energy Program

The Clean Air Act (CAA) clearly authorizes and obligates the EPA to set GHG pollution standards

EPA's proposal to undo the Endangerment Finding deliberately mischaracterizes the agency's responsibilities and obligations under the CAA in an attempt to evade its responsibility to regulate global warming pollution. The 2007 *Mass v. EPA* decision, together with the science-based Endangerment Finding, clearly establish the authority and obligation of EPA on this front. (See also the next section on the use of best available science to inform policymaking).

The 2007 *Mass v EPA* decision is very clear in its ruling that heat-trapping emissions are air pollutants covered under Section 202 of the CAA.⁴ The Supreme Court's ruling states that:

The Clean Air Act's sweeping definition of "air pollutant" includes "**any** air pollution agent or combination of such agents, including any physical, chemical ... substance or matter which is emitted into or otherwise enters the ambient air" §7602(g) [emphasis added]. ... On its face, the definition embraces all airborne compounds of whatever stripe, and underscores that intent through the repeated use of the word "any." ... Carbon dioxide, methane, nitrous oxide, and hydrofluorocarbons are without a doubt "physical [and] chemical ... substance[s] which [are] emitted into ... the ambient air." The statute is unambiguous.

EPA's attempts now to claim that global pollutants like GHGs are not covered by the CAA are plainly in contradiction to settled law on this matter, which the courts have repeatedly upheld since then.⁵⁶⁷ In its attempt to justify this new interpretation, EPA undertakes a significantly contorted reading of the statute and applicable court decisions—while at the same time basing its argument in part on the agency's interpretive confinement due to recent Supreme Court rulings, including *Loper Bright* and *West Virginia*. The agency cannot have it both ways. And indeed, on rhetoric, fact, and law, the agency fully fails to defend its newly asserted interpretation.

Furthermore, EPA is not just authorized to set GHG pollution standards, it is *obligated* to set GHG pollution standards. As the CAA clearly lays out, if the agency finds that specific air pollutants harm human health and welfare, EPA is then legally obligated to regulate them. In this case, Section 202 of the CAA requires the EPA to regulate emissions from new motor vehicles if the Administrator finds that they "cause, or contribute to, air pollution which may reasonably be anticipated to endanger public health or welfare." As detailed below, the 2009 Endangerment Finding clearly established those health-harming attributes of GHGs and in the intervening years, science has further deepened and clarified that basis. Under law, this then unambiguously requires the agency to act.

⁴ <https://caselaw.findlaw.com/court/us-supreme-court/549/497.html>

⁵ <https://www.epa.gov/ghgemissions/us-court-appeals-dc-circuit-upholds-epas-action-reduce-greenhouse-gases-under-clean>

⁶ <https://climate.law.columbia.edu/content/coalition-responsible-regulation-v-epa-2010>

⁷ <https://19january2017snapshot.epa.gov/sites/production/files/2016-08/documents/09-1322-1380690.pdf>

The latest climate science is unequivocal on the health-harming impacts of climate change

EPA's efforts to sow disinformation about climate science are among the most glaring flaws in this proposal and are truly alarming in terms of the consequences for public well-being. The record on the science is clear, and the agency cannot claim discretion in manufacturing its own set of "alternative facts" to suit its purposes.

Although the agency claims to have consulted multiple sources, it relies almost exclusively on a May 27, 2025 version of a sham science report,⁸ hastily commissioned in secret by the DOE and EPA, to justify the most egregious statements about the state of the science in this proposal.⁹ The authors of that report are known climate contrarians, and their findings have subsequently been roundly debunked and rejected by the scientific community.¹⁰¹¹¹² Comments from several economists found the findings "woefully out of date" and "an array of fallacies."¹³ National security leaders have also found the report to be "wholly inadequate in addressing the national security risks posed by climate change."¹⁴ UCS has also submitted comments on the report calling out its flaws.¹⁵

Together with the Environmental Defense Fund, UCS has also filed a lawsuit challenging the DOE and EPA for producing and using the CWG report in violation of the Federal Advisory Committee Act (FACA), which further underscores that EPA's reliance on this report for this proposal is faulty.¹⁶ The secretive and biased process for drafting this report does a grave disservice to the public interest on multiple grounds, and has led to a deeply flawed product that has no place in science-informed policymaking.

Any update to the scientific underpinnings of the 2009 Endangerment Finding should be based on credible, peer-reviewed scientific assessments including the U.S. National Climate Assessments

⁸ In its proposal, EPA cites an earlier draft version of the CWG report dated May 27, 2025, which has some differences from the draft report released by the DOE alongside the EPA's proposal to repeal the Endangerment Finding on July 29, 2025.

⁹ https://www.energy.gov/sites/default/files/2025-07/DOE_Critical_Review_of_Impacts_of_GHG_Emissions_on_the_US_Climate_July_2025.pdf

¹⁰ Tandon et. al. 2025. Factcheck: Trump's climate report includes more than 100 false or misleading claims. <https://interactive.carbonbrief.org/doe-factcheck/index.html>

¹¹ Dessler, A.E. (Ed.). 2025. Climate Experts' Review of the DOE Climate Working Group Report. <https://sites.google.com/tamu.edu/doeresponse/home>

¹² American Meteorological Society (AMS). 2025. The practice and assessment of science: Five foundational flaws in the Department of Energy's 2025 climate report. <https://www.ametsoc.org/ams/about-ams/ams-statements/statements-of-the-ams-in-force/the-practice-and-assessment-of-science-five-foundational-flaws-in-the-department-of-energys-2025-climate-report/>

¹³ <https://salatainstitute.harvard.edu/wp-content/uploads/2025/09/Public-Comment-on-DOE-Report-2025-Submitted-1.pdf>

¹⁴ <https://councilonstrategicrisks.org/2025/09/02/20-national-security-leaders-and-the-center-for-climate-security-critique-the-us-department-of-energy-climate-report/>

¹⁵ <https://ucs-documents.s3.us-east-1.amazonaws.com/global-warming/comments-doe-climate-working-group-report.pdf>

¹⁶ Environmental Defense Fund and Union of Concerned Scientists v. Christopher Wright in his official capacity as Secretary of Energy, US DOE; Lee Zeldin in his official capacity as Administrator of the U.S. EPA, US EPA; Climate Working Group. Case 1:25-cv-12249, in the United States District Court for the District of Massachusetts. <https://library.edf.org/AssetLink/0kdlw6oq5v8hsvj152eqx01b0qn74uuq.pdf>

(NCAs) and the assessment reports of the Intergovernmental Panel on Climate Change (IPCC).¹⁷¹⁸¹⁹ The Trump administration’s dismantling of the author team of the sixth NCA, gutting of the US Global Change Research Program (USGCRP) and removal of prior NCAs from the website are tactics designed to try to bury the evidence on climate change.

Another authoritative source of scientific information to help inform policymaking is the National Academies of Sciences, Engineering, and Medicine (NAS). The NAS has just released a report which clearly states that “the evidence for current and future harm to human health and welfare created by human-caused greenhouse gases is beyond scientific dispute.”²⁰ The report also says that “EPA’s 2009 finding was accurate, has stood the test of time, and is now reinforced by even stronger evidence. Much of the understanding of climate change that was uncertain or tentative in 2009 has now been resolved by scientific research.” As the NAS notes in the forward to its report, “In the Clean Air Act, the U.S. Congress instructed EPA to draw on findings, recommendations, and comments from the Clean Air Science Advisory Committee (CASAC) and the National Academy of Sciences (NAS)) (42 U.S. Code § 7607(D)(3)(c)).”²¹

A recent letter organized by UCS and signed by more than 1000 scientists, public health experts and economists, highlights several key facts, including that climate change poses severe harms to human health and well-being, climate change is clearly increasing the likelihood of extreme events, and that the economic toll of climate change is rising.²²

The EPA’s attempts to undermine or delay climate action are extremely consequential, given where the world stands with the climate crisis. Against the backdrop of greenhouse gas concentrations being the highest on record in 2024, scientists warn that there is a high likelihood that the world will

¹⁷ USGCRP, 2023: Fifth National Climate Assessment. Crimmins, A.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, B.C. Stewart, and T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, USA. <https://doi.org/10.7930/NCA5.2023>

¹⁸ IPCC, 2023: Climate Change 2023: Synthesis Report. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, H. Lee and J. Romero (eds.)]. IPCC, Geneva, Switzerland, 184 pp., doi: 10.59327/IPCC/AR6-9789291691647.

¹⁹ Additional sources of credible science include the American Meteorological Society’s annual climate reports. See, for example, Blunden, J. and J. Reagan, Eds., 2025: “State of the Climate in 2024”. Bull. Amer. Meteor. Soc., 106 (8), Si–S513 <https://doi.org/10.1175/2025BAMSStateoftheClimate.1>.

²⁰ National Academies of Sciences, Engineering, and Medicine. 2025. Effects of Human-Caused Greenhouse Gas Emissions on U.S. Climate, Health, and Welfare. Washington, DC: The National Academies Press. <https://doi.org/10.17226/29239>.

²¹ The NAS further notes that ‘Advice from CASAC was not available to EPA during the window when it was considering this proposed rulemaking because CASAC was disbanded in January 2025 and EPA was in the process of appointing new members (FR Doc. 2025-07538 (90 FR 18658))’

²² <https://www.ucs.org/sites/default/files/2025-09/Sep%2016%202025%20-%20UCS%20Endangerment%20Finding%20Letter.pdf>

breach the 1.5°C mark on a long-term basis within the next decade.^{23,24,25} The world already crossed it for a full year in 2024.²⁶ At the rate we are going, without concerted action to course-correct, we could be on track for over 3°C of global average temperature rise above pre-industrial levels.²⁷ As a leading contributor to global heat-trapping emissions, the United States must do its part to contribute to global efforts to limit dangerous climate change.

We urge the EPA to stop relying on disinformation and sham science to undo the Endangerment Finding, and instead turn to credible, trusted sources of the best available science. The stakes for people's health and well-being are too high.

We also oppose the reversal of the denial of previous petitions to the EPA to repeal the Endangerment Finding. The 2010 and 2022 denials were fact-based and lawful, with a detailed record to support them, and an arbitrary reversal of them would be contrary to the public interest.²⁸

The Latest Economics Supports a Robust Value for the Social Cost of GHGs

The EPA's proposal entirely ignores the costs of climate change, including the implications of its 2023 update to the values for the social cost of GHGs (SC-GHG), which underwent an extensive peer review process.²⁹ The Regulatory Impact Analysis (RIA) accompanying the proposal does not even include any estimate of how much GHG emissions—or any other harmful emissions—would increase if this proposal to undo the Endangerment Finding were to be finalized, let alone the harms to people and the economy that would result. Rigging the math in this way does not change the reality that the costs of climate change are real, significant, and will increase as heat-trapping emissions rise. The EPA's proposal cites flawed economic rationales in the CWG report, when in fact the latest economics literature supports a robust value for the SC-GHG. The 2023 EPA values remain the best available estimates for regulatory purposes—although they omit large categories of harms and are therefore underestimates³⁰—and the agency should continue to rely on them until the next science-based, peer-reviewed update is conducted.

²³ Blunden, J. and J. Reagan, Eds., 2025: "State of the Climate in 2024". Bull. Amer. Meteor. Soc., 106 (8), Si-S513 <https://doi.org/10.1175/2025BAMSStateoftheClimate.1>.

²⁴ IPCC, 2023: Climate Change 2023: Synthesis Report. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, H. Lee and J. Romero (eds.)]. IPCC, Geneva, Switzerland, 184 pp., doi: 10.59327/IPCC/AR6-9789291691647.

²⁵ World Meteorological Organization (WMO) 2025. WMO Global Annual to Decadal Climate Update 2025-2029. https://wmo.int/sites/default/files/2025-05/WMO_GADCU_2025-2029_Final.pdf

²⁶ Copernicus Climate Change Service. 2025. <https://climate.copernicus.eu/copernicus-2024-first-year-exceed-15degc-above-pre-industrial-level>

²⁷ United Nations Environment Programme (2024). *Emissions Gap Report 2024: No more hot air ... please! With a massive gap between rhetoric and reality, countries draft new climate commitments*. <https://wedocs.unep.org/20.500.11822/46404>.

²⁸ See <https://www.epa.gov/climate-change/2010-denial-petitions-reconsideration-endangerment-and-cause-or-contribute-findings> and <https://www.epa.gov/climate-change/2022-denial-petitions-reconsideration-rulemaking-or-reopening-endangerment-and-cause>

²⁹ EPA. 2023. Report on the Social Cost of Greenhouse Gases: Estimates Incorporating Recent Scientific Advances https://www.epa.gov/system/files/documents/2023-12/epa_scghg_2023_report_final.pdf

³⁰ See the Peer Review Report on the SC-GHG.

For more extensive comments on these issues, please see the joint comments led by the Institute for Policy Integrity.³¹

The Endangerment Finding is a scientific determination of the harms to health and welfare from GHGs, not an assessment of possible policy outcomes

The CAA statute is clear that the agency’s science-based determination of Endangerment must be made solely on the basis of harms to human health and welfare from the pollutant under consideration (GHGs, in this case). And the science is, as detailed above, unequivocal that GHGs endanger human health and welfare. Because rescission of the Endangerment Finding is therefore unfounded, EPA is forced to propose a contrived re-interpretation of the CAA in an attempt to justify its desired outcome, asserting that in fact the determination must evaluate subsequent policy outcomes as a core part of its finding.

This claim is transparently outcome-motivated and without merit. EPA is falsely—and intentionally—conflating the legal basis for reaching an Endangerment Finding with subsequent regulatory steps, including consideration of technology options and regulatory costs of addressing pollutants. The appropriate sequence is as unambiguous in its clarity as it is in the logic underpinning it: first assess the threshold determination of whether a pollutant endangers public health and then, for covered pollutants and sources, proceed with standard setting. First the determination, then the standard-setting—only the latter of which is to take into account technology options to reduce emissions in that sector, and the costs and benefits of cutting emissions.

The CAA is structured to require following these steps in this order, and the courts have previously affirmed (and reaffirmed) the legal appropriateness of this approach.^{32,33} EPA has also followed this process in the past. After the Endangerment Finding was reached in 2009, the agency then undertook rulemakings for setting GHG standards for vehicles and power plants, for example, during which the agency conducted extensive evaluations of emission reduction technologies and the costs and benefits of cutting emissions.

This sequence also just makes sense, enabling rigorous evaluation of the harms posed to health and welfare during the scientific determination process, and rigorous evaluation of source-specific emissions controls during the regulatory process. EPA provides no defensible rationale for its abandonment of this approach, nor does EPA address the fact that by attempting to combine these separate evaluations into a single process, EPA is irreparably and arbitrarily undermining both.

EPA’s Alternative Reasons for Overturning GHG Standards are Equally Specious

In this proposal, the agency has thrown out every possible trumped-up reason for avoiding doing its job to cut heat-trapping emissions. EPA’s numerous and conflicting rationales undermine the

³¹ IPI, NYU. 2025. Joint Comments on Failure to Quantify or Value Greenhouse Gas Emissions in “Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards.”

³² See, e.g., SCOTUS in *Mass v. EPA* (2007); D.C. Circuit in *Coalition for Responsible Regulation, Inc. v. EPA* (2012).

³³ Adler, D., and K. Welty. 2025. *Regulatory Costs Don’t Belong in Endangerment Findings: How the Clean Air Act Separates Regulatory Cost Analysis from Endangerment Findings*. Institute for Policy Integrity. Online at https://policyintegrity.org/files/publications/EF_Cost_Issue_Brief_vf.pdf.

agency's claim of adhering to the best statutory interpretation. Perhaps being fully cognizant of the fatal scientific and legal flaws in its rationale for undoing the Endangerment Finding, it then proceeds to handwave in other directions.

For example, in addition to the flawed arguments detailed in the above sections, EPA also disingenuously claims that cutting GHG emissions from vehicles won't matter for global climate efforts because they are a small share of overall emissions. If this absurd logic were applied to climate policy decisionmaking more broadly, no action would be taken because no individual action is sufficient on its own to delivering on global climate targets—even if those same policies were together advancing success. Moreover, a proportional assessment is entirely inappropriate.

Human-caused climate change is driven by the cumulative build-up of global heat-trapping emissions, primarily from burning fossil fuels, since the Industrial Revolution began. Going forward, the only way to tackle this problem is through collective action, where every major emitting nation takes responsibility for cutting its emissions from as many sources as possible and in that way nations work together to bend the global emissions curve. No country can solve this problem on its own *and* there is no path to meeting global climate goals without the United States—a leading contributor to global heat-trapping emissions—taking robust action.

Administrator Lee Zeldin and the EPA are surely aware of this—which is why it is blatantly obvious that these kinds of specious arguments are simply a nod-and-wink strategy to evade their responsibility, delay climate action, and pander to fossil fuel interests. While they employ this sleight of hand, it is people across the country that will pay the price as climate impacts worsen.

EPA's actions here are in addition to numerous other harmful deregulatory actions the agency has taken, including a proposed repeal of the power plant carbon standards which relied on many similarly flawed arguments and which UCS also vigorously opposed.³⁴ These actions are also part of a broader Trump administration agenda attacking climate and clean energy policies and investments and stepping away from the Paris Agreement. As a result of a variety of factors, including policy and regulatory changes that have led to an increase in coal-fired power generation, U.S. CO₂ emissions are expected to rise 1.5% in 2025.³⁵ Longer term outlooks show that the Trump administration's actions will sharply adjust upwards the trajectory of U.S. carbon emissions, resulting in the nation being far off track from meeting its emission reduction goals to help deliver on its climate commitments.³⁶

EPA fully fails to reckon with the fact that climate change is already here, and every cumulative ton of additional emissions will drive incremental harms. In that context, viewing domestic climate action and hard-won multilateral agreements as zero-sum games does a grave disservice to the interests of the American people, now and in the long term. In fact, doing our part is the best way to

³⁴ See comments from the Union of Concerned Scientists on the Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units.

³⁵ EIA. 2025. Short-term energy outlook, September 2025.

https://www.eia.gov/outlooks/steo/pdf/steo_full.pdf

³⁶ Rhodium Group. 2025. Taking Stock 2025. <https://rhg.com/research/taking-stock-2025/>

leverage greater climate ambition from other nations. But if the U.S. fails to act, the nation could find itself isolated and sidelined even as the rest of the world moves ahead.

Climate change is harmful to people across the nation and is imposing a disproportionate burden on people who are most exposed and have the fewest resources.

Climate impacts place a disproportionate burden on those with the fewest resources, communities of color, outdoor workers, as well as vulnerable populations like children, older people and people with disabilities.³⁷³⁸³⁹⁴⁰⁴¹⁴²⁴³⁴⁴ Every fraction of a degree of global warming the world can avoid will help limit how much worse the climate crisis will get—and robust action from the United States to cut heat-trapping emissions is crucial to those efforts.

EPA is undertaking this destructive rulemaking even as severe climate-fueled disasters are mounting across the nation, harming people, destroying homes and infrastructure, and leaving communities struggling for years to get back on their feet. Just in the last year, major disasters included the devastating Hurricanes Helene and Milton, the catastrophic Los Angeles wildfires, and the tragic flash flood in Texas.

EPA's reversal of GHG pollution standards will also lead to a significant increase in co-pollutants such as particulate matter, mercury and other toxic pollutants which pose major public health risks. Scientific studies, including from EPA researchers, show that communities of color often bear a disproportionate burden of these kinds of health harms.⁴⁵ The EPA's proposal and its accompanying regulatory impact analysis completely fail to account for these harms, another example of its severe flaws.

³⁷ Berberian AG, Gonzalez DJX, Cushing LJ. Racial Disparities in Climate Change-Related Health Effects in the United States. *Curr Environ Health Rep*. 2022 Sep;9(3):451-464. doi: 10.1007/s40572-022-00360-w. Epub 2022 May 28. PMID: 35633370; PMCID: PMC9363288.

³⁸ Morello-Frosch, R., & Obasogie, O. K. (2023). The Climate Gap and the Color Line — Racial Health Inequities and Climate Change. *The New England Journal of Medicine*, 388(10), 943–949. doi: 10.1056/NEJMs2213250.

³⁹ Dahl K. and R. Licker, 2021. Too Hot to Work. <https://www.ucs.org/resources/too-hot-to-work>

⁴⁰ Gamble, J.L., et al. (2016). Ch. 9: Populations of concern. In: *The impacts of climate change on human health in the United States: A scientific assessment*. U.S. Global Change Research Program, Washington, DC,

⁴¹ EPA. <https://www.epa.gov/climateimpacts/climate-change-and-childrens-health>

⁴² <https://www.epa.gov/climateimpacts/climate-change-and-health-people-disabilities>

⁴³ Alina Engelman, Leyla Craig, and Alastair Iles. 2022. *Global Disability Justice In Climate Disasters: Mobilizing People With Disabilities As Change Agents*. *Health Affairs* 2022 41:10, 1496-1504

⁴⁴ <https://www.epa.gov/climateimpacts/climate-change-and-health-older-adults>

⁴⁵ Christopher W. Tessum *et al.*, PM_{2.5} pollutants disproportionately and systemically affect people of color in the United States. *Sci. Adv.* 7, eabf4491 (2021). DOI: [10.1126/sciadv.abf4491](https://doi.org/10.1126/sciadv.abf4491)

Appended UCS comments on the DOE's Climate Working Group Report

*UCS also submitted comments to the DOE docket (**Docket ID No. DOE-HQ-2025-0207**) on the draft report produced by DOE's Climate Working Group (CWG), titled "A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate" (CWG Report). Because EPA's proposal to repeal the Endangerment Finding relies so heavily on that report, we are appending below our full comments related to it.*



September 2, 2025

To: Secretary Chris Wright

Docket ID No. DOE-HQ-2025-0207

Comments on the draft report produced by DOE's Climate Working Group (CWG), titled "A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate" (CWG Report). 90 FR 36150, August 1, 2025. Notice. Department of Energy.

U.S. Department of Energy, docket number DOE-HQ-2025-0207. U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585.

Submitted directly to *Regulations.gov*

Secretary Wright:

We write on behalf of the Union of Concerned Scientists (UCS) and our half million supporters and network of over 21,000 scientists to express our strong opposition to the deeply flawed, anti-science content of the Department of Energy (DOE)-commissioned report titled "A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate" (CWG report). UCS also vigorously opposes the profoundly inappropriate and unscientific process relied upon to generate this report. UCS puts rigorous, independent science to work to solve our planet's most pressing problems. We have long supported the use of the best available climate science to help guide policymaking to address the climate crisis. This report is the exact opposite of that and must be immediately retracted.

The CWG report contains demonstrably false statements, relies heavily on cherry-picked data to prop up incorrect conclusions, and actively employs deceptive framing to downplay the severity of climate change harms. Further, the DOE has violated the Federal Advisory Committee Act (FACA) in commissioning this report in secret, selectively hand-picking a biased group of climate contrarians to write it, and keeping the proceedings of the CWG hidden from the public. UCS has jointly filed a lawsuit with the Environmental Defense Fund (EDF) to seek a declaration that the process used to draft this report was and is unlawful and to block the report's use in agency actions including repealing the Endangerment Finding and the vehicle emission standards.⁴⁶

It is a staggering affront to the public to see such a flawed product put forward as an official U.S. Government document. To have it used to justify even worse actions, including as a basis for the

⁴⁶ Environmental Defense Fund and Union of Concerned Scientists v. Christopher Wright in his official capacity as Secretary of Energy, US DOE; Lee Zeldin in his official capacity as Administrator of the U.S. EPA, US EPA; Climate Working Group. Case 1:25-cv-12249, in the United States District Court for the District of Massachusetts. <https://library.edf.org/AssetLink/0kdlw6oq5v8hsvj152eqx01b0qn74uuq.pdf>

Environmental Protection Agency (EPA) to evade its legal obligation to protect the public from the health harms of climate change, is even more egregious. We take strong exception to the EPA's proposal to repeal the 2009 Endangerment Finding, including its reliance on an earlier version of this error-filled CWG report as a basis for that harmful action.⁴⁷

There have been a number of initiatives by scientists and journalists to carefully document and debunk the numerous erroneous and deceptive arguments in the CWG report.^{48,49,50,51,52,53} In many cases, scientists whose work was cited in the report have spoken up to detail how their research findings were deliberately manipulated and mischaracterized, to the point where some of the findings listed in the DOE report were exactly the opposite of the actual research findings. This level of blatant scientific malpractice is shocking to see in an official U.S. government report.

The administration has ready access to the best available science, for example, via the U.S. National Climate Assessments, the assessment reports of the Intergovernmental Panel on Climate Change (IPCC), and numerous reports from the National Academies of Sciences, among other

⁴⁷ EPA, 2025. Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards. <https://www.govinfo.gov/content/pkg/FR-2025-08-01/pdf/2025-14572.pdf>

⁴⁸ American Meteorological Society (AMS). 2025. *The practice and assessment of science: Five foundational flaws in the Department of Energy's 2025 climate report*.

<https://www.ametsoc.org/ams/about-ams/ams-statements/statements-of-the-ams-in-force/the-practice-and-assessment-of-science-five-foundational-flaws-in-the-department-of-energys-2025-climate-report>

⁴⁹ Borenstein S. and M. Phillis, 2025. <https://apnews.com/article/climate-change-epa-trump-science-takeaways-023c3725de70dfa947cfee4f28ce24e3>

⁵⁰ Tandon et. al. 2025. Factcheck: Trump's climate report includes more than 100 false or misleading claims. <https://interactive.carbonbrief.org/doe-factcheck/index.html>

⁵¹ Dessler, A.E. (Ed.). 2025. *Climate Experts' Review of the DOE Climate Working Group Report*. <https://drive.google.com/file/d/1PwAR8I9YYmPhbQ6CRkHkroJGMbjbX7l/view>.

⁵² Columbia Law School Sabin Center for Climate Change Law. 2025. *Department of Energy report includes false claims about climate change*. Sabin Center for Climate Change Law. <https://climate.law.columbia.edu/content/departments-energy-report-includes-false-claims-about-climate-change>

⁵³ Taft, M. 2025. *Scientists say new government climate report twists their work*. Wired. <https://www.wired.com/story/scientists-say-new-government-climate-report-twists-their-work/>

authoritative sources.^{54, 55,56,57} Career scientists at federal agencies, including at the EPA and DOE, could also provide high quality, unbiased scientific input. Yet this administration has chosen to politicize science and sideline that robust body of scientific information and scientific expertise—even going as far as to halt the Sixth National Climate Assessment and disband its author team—while propping up the work of fringe climate deniers.

These violations of scientific best practice and administrative procedures are not mere academic matters; they have grave real-world consequences for the health and well-being of people across the nation. Trying to bury the evidence on climate change and impede efforts to limit its worst consequences will directly put people, the economy, and ecosystems in harm's way. Communities in the U.S. are already reeling from worsening climate impacts—including heatwaves, storms, floods, droughts, wildfires, and sea level rise. Lying about that reality doesn't change it, but it does leave people without the protections they need and deserve, and that they rightfully look to their government to provide.

The motivations for these actions are also blatantly clear and have been publicly expressed⁵⁸: the goal is plainly to downplay the seriousness of climate change to prop up fossil fuel interests and profits while foisting the consequent health and economic harms on the general public. This subversion of the government's duty to uphold the public interest is reprehensible.

The CWG report actively and deliberately undermines the best available science

Below we categorize some of the major ways in which the CWG report is flawed, with some examples—although this is a far from exhaustive list. These disinformation tactics are a well-worn

⁵⁴ USGCRP, 2023: Fifth National Climate Assessment. Crimmins, A.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, B.C. Stewart, and T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, USA. <https://doi.org/10.7930/NCA5.2023>

⁵⁵ IPCC, 2021: *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Masson-Delmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, In press, doi:[10.1017/9781009157896](https://doi.org/10.1017/9781009157896).

⁵⁶ IPCC, 2022: *Climate Change 2022: Impacts, Adaptation, and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press. Cambridge University Press, Cambridge, UK and New York, NY, USA, 3056 pp., doi:[10.1017/9781009325844](https://doi.org/10.1017/9781009325844).

⁵⁷ IPCC, 2022: *Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [P.R. Shukla, J. Skea, R. Slade, A. Al Khourdajie, R. van Diemen, D. McCollum, M. Pathak, S. Some, P. Vyas, R. Fradera, M. Belkacemi, A. Hasija, G. Lisboa, S. Luz, J. Malley, (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA. doi: [10.1017/9781009157926](https://doi.org/10.1017/9781009157926)

⁵⁸ <https://www.energy.gov/articles/secretary-energy-chris-wright-delivers-keynote-remarks-ceraweek-2025>

ploy of the fossil fuel industry^{59,60}—and indeed some of the CWG authors have been funded by or have worked for fossil fuel entities in the past.⁶¹ It is alarming to see them now echoed by our government.

1. The CWG report perpetuates outright falsehoods. For example:

- a. The report incorrectly claims the stratosphere has warmed post-2000; mid and upper-level stratospheric cooling has continued post-2000 (Santer et al. 2023; Fig. 1 a-c).⁶² Cooling in the lower stratosphere only stabilized briefly post-2000 because of the recovery of stratospheric ozone post-Montreal Protocol (Santer et al. 2023 Fig. 1d). Cooling of the stratosphere is the opposite of the heating in the troposphere, confirming the classic fingerprint of human-caused climate change that the report incorrectly suggests is not founded.
- b. The report incorrectly states Arctic sea ice has declined by 5% since 1980, when in fact it has decreased by ~40%. The authors incorrectly used Southern Hemisphere (Antarctic) Extent Anomalies from the National Snow and Ice Data Center to support their finding.⁶³
- c. The report incorrectly states that area burned by wildfires in the U.S. has not increased since 2007, based on data from the National Interagency Fire Center (NIFC). The 10-year average burn rate was ~5.86 million acres in 2007.⁶⁴ In 2024, it was ~7 million acres.⁶⁵
- d. The report's discussion on carbon dioxide promoting plant growth and 'global greening' (Chapter 2.1) is fallacious; the report ignores how rising carbon dioxide levels and consequent warming of the planet is harming plants, as stated in the IPCC's Sixth Assessment Report (e.g. AR6 WG2 Technical Summary TS.B.1.5 and TS.C.1.4)⁶⁶, and how it affects food security due to changing precipitation patterns and extreme weather events heightened by climate change.

⁵⁹ Oreskes, N., & Conway, E. M. (2010). *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming*. Bloomsbury Press.

⁶⁰ Brulle, R. J. (2014). Institutionalizing delay: foundation funding and the creation of U.S. climate change counter-movement organizations. *Climatic Change*, 122(4), 681–694.

⁶¹ E&E News. (2025, August 11). *How Chris Wright recruited a team to upend climate science*. E&E News. <https://www.eenews.net/articles/how-chris-wright-recruited-a-team-to-upend-climate-science-2> [Feature article detailing CWG author selection and prior fossil-fuel aligned positions]

⁶² B.D. Santer, S. Po-Chedley, L. Zhao, C. Zou, Q. Fu, S. Solomon, D.W.J. Thompson, C. Mears, and K.E. Taylor. 2023. Exceptional stratospheric contribution to human fingerprints on atmospheric temperature, *Proc. Natl. Acad. Sci. U.S.A.* 120 (20) e2300758120, <https://doi.org/10.1073/pnas.2300758120> (2023).

⁶³ See page 90 of the DOE report, where the authors incorrectly use this graph: https://nsidc.org/data/seaice_index/images/s_plot_hires.png, instead of the accurate one here: https://nsidc.org/data/seaice_index/images/n_plot_hires.png

⁶⁴ National Interagency Fire Center 2007 Report: https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2007/annual_report_2007_508.pdf.

⁶⁵ National Interagency Fire Center 2024 Report: https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2024/annual_report_2024.pdf

⁶⁶ Pörtner, H.-O., D.C. Roberts, H. Adams, I. Adelekan, C. Adler, R. Adrian, P. et al., *Climate Change 2022: Impacts, Adaptation and Vulnerability*. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K.

- e. The report states that attribution of extreme weather events to anthropogenic carbon dioxide emissions is challenged by natural climate variability, data limitations, and model deficiencies; however, modern climate attribution science methods explicitly account for these factors through rigorous statistical techniques, multi-model ensembles, and control climate model simulations.^{67, 68, 69}
2. **The CWG report cherry-picks select text, data, and studies that paint an incomplete picture.** For example:
 - a. The report (p. 71) uses a flawed dataset to show U.S. wildfire trends from 1926-2023 from the NIFC. Despite stating how NIFC removed pre-1960 data because it is unreliable, the authors still include the pre-1960 data in their 6.8.3 Figure, which makes it look like wildfire rates were substantially higher decades ago than today. The report also omits the fact that the Western United States has had an accelerated rise in wildfires that is linked to climate change.^{70, 71}
 - b. The report uses selective text from the 4th National Climate Assessment on the Dust Bowl as evidence of natural variability around heat waves, omitting the fact, as stated in the 4th National Climate Assessment Climate Science Special Report (p. 190), that the Dust Bowl heatwave was exacerbated by poor land management.⁷²
 - c. On changes in US sea levels (Chapter 7.2), the report (pp. 77-79) selectively chooses five tidal gauges and vertical land motion measurements to suggest rising sea-levels in the US are only due to land-sinking, ignoring satellite altimetry observations which clearly show the acceleration of sea-level rise due to thermal expansion of oceans and the melting of land-ice (e.g., land ice-sheets, glaciers), which are linked to climate change (IPCC AR6 WG1 Ch.9).⁷³ The US Fifth National Climate Assessment,

Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)). Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 37–118, doi:10.1017/9781009325844.002

⁶⁷ Daniel L. Swain, Deepti Singh, Danielle Touma, Noah S. Diffenbaugh. 2020. Attributing Extreme Events to Climate Change: A New Frontier in a Warming World. *One Earth*, Volume 2, Issue 6, 2020, Pages 522-527, ISSN 2590-3322, <https://doi.org/10.1016/j.oneear.2020.05.011>

⁶⁸ National Academies of Sciences, Engineering, and Medicine. (2016). *Attribution of Extreme Weather Events in the Context of Climate Change*. Washington, DC: The National Academies Press

⁶⁹ IPCC, 2021: Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate. Chapter 11: [Sonia I. Seneviratne, Xuebin Zhang et al.] Weather and Climate Extreme Events in a Changing Climate. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, 2391 pp. doi:10.1017/9781009157896.

⁷⁰ J.T. Abatzoglou and A.P. Williams. 2016. Impact of anthropogenic climate change on wildfire across western US forests, *Proc. Natl. Acad. Sci. U.S.A.* 113 (42) 11770-11775, <https://doi.org/10.1073/pnas.1607171113> (2016).

⁷¹ <https://science.feedback.org/review/misleading-u-s-department-energy-climate-report-chooses-bias-over-science-climate-scientists-say/>

⁷² USGCRP, 2017: Climate Science Special Report: Fourth National Climate Assessment, Volume I [Wuebbles, D.J., D.W. Fahey, K.A. Hibbard, D.J. Dokken, B.C. Stewart, and T.K. Maycock (eds.)]. U.S. Global Change Research Program, Washington, DC, USA, 470 pp., doi: 10.7930/J0J964J6.

⁷³ Fox-Kemper, B., H.T. Hewitt, C. Xiao, G. Aðalgeirsdóttir, S.S. Drijfhout, T.L. Edwards, N.R. Golledge, M. Hemer, R.E. Kopp, G. Krinner, A. Mix, D. Notz, S. Nowicki, I.S. Nurhati, L. Ruiz, J.-B. Sallée, A.B.A. Slangen, and Y. Yu, 2021: Ocean, Cryosphere and Sea Level Change. In *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Masson-Delmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen,

which the report omits in this Chapter, includes these findings (e.g., Ch 2, pp. 15; 27; 35).⁷⁴

- d. The report selectively pulled a single supplemental figure (Fig. 3.2.1) from Hausfather et al.⁷⁵ to suggest past climate models have overestimated observations, virtually discarding the paper and its conclusion that past climate models have been accurate at predicting warming.
 - e. The report selectively chooses a subset of fringe and outdated studies (e.g., on total solar irradiance reconstruction) to conclude uncertainty on the attribution of climate change to carbon dioxide emissions (Chapter 8), despite overwhelming scientific consensus that changes to solar activity and other natural variabilities (e.g., IPCC AR6 WG1 Chapter 7⁷⁶) do not explain the rapid warming of the planet, and that it is instead due to carbon dioxide and other heat-trapping emissions.
3. **The CWG report employs deceptive framing to downplay climate change harms.** For example:
- a. The report focuses on absolute numbers of heat vs. cold mortalities to downplay climate change harms, despite risks from heat-related mortalities rapidly rising due to climate change,⁷⁷ and the fact that adaptation measures, like air-conditioning, have clear limitations.⁷⁸

L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)). Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp. 1211–1362, doi: [10.1017/9781009157896.011](https://doi.org/10.1017/9781009157896.011).

⁷⁴ Marvel, K., W. Su, R. Delgado, S. Aarons, A. Chatterjee, M.E. Garcia, Z. Hausfather, K. Hayhoe, D.A. Hence, E.B. Jewett, A. Robel, D. Singh, A. Tripathi, and R.S. Vose, 2023: Ch. 2. Climate trends. In: Fifth National Climate Assessment. Crimmins, A.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, B.C. Stewart, and T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, USA.
<https://doi.org/10.7930/NCA5.2023.CH2>

⁷⁵ Hausfather, Z., Drake, H. F., Abbott, T., & Schmidt, G. A. (2020). Evaluating the performance of past climate model projections. *Geophysical Research Letters*, 47, e2019GL085378.
<https://doi.org/10.1029/2019GL085378>

⁷⁶ Forster, P., T. Storelvmo, K. Armour, W. Collins, J.-L. Dufresne, D. Frame, D.J. Lunt, T. Mauritsen, M.D. Palmer, M. Watanabe, M. Wild, and H. Zhang, 2021: The Earth's Energy Budget, Climate Feedbacks, and Climate Sensitivity. In *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Masson-Delmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp. 923–1054, doi: [10.1017/9781009157896.009](https://doi.org/10.1017/9781009157896.009).

⁷⁷ Lüthi S, Fairless C, Fischer EM, Scovronick N, Ben Armstrong, Coelho MSZS, Guo YL, Guo Y, Honda Y, Huber V, Kyselý J, Lavigne E, Royé D, Rytí N, Silva S, Urban A, Gasparrini A, Bresch DN, Vicedo-Cabrera AM. Rapid increase in the risk of heat-related mortality. *Nat Commun*. 2023 Aug 24;14(1):4894. doi: 10.1038/s41467-023-40599-x. Erratum in: *Nat Commun*. 2024 Sep 16;15(1):8110. doi: 10.1038/s41467-023-44107-z. PMID: 37620329; PMCID: PMC10449849.

⁷⁸ Obringer, R., Nateghi, R., Maia-Silva, D., Mukherjee, S., CR, V., McRoberts, D. B., & Kumar, R. (2022). Implications of increasing household air conditioning use across the United States under a warming climate. *Earth's Future*, 10, e2021EF002434. <https://doi.org/10.1029/2021EF002434>

- b. The report downplays the effects of ocean acidification (Chapter 2.2) on the environment through selective framing. For example, the report states only that ocean acidification has a negligible direct impact on fish behavior, disregarding well-documented harms to other marine species and biological processes (e.g., IPCC AR6 WG2 Ch.3).⁷⁹ It also invokes pre-historic ocean conditions to emphasize past marine resilience, ignoring how historical pH changes occurred over millennia, whereas today's anthropogenic pH decline is far more rapid and unprecedented, negatively impacting marine ecosystems.

The CWG report was drafted via an improper process

The DOE and the EPA have been actively seeking to create a basis for undermining the science-based Endangerment Finding; the DOE's secret commissioning of the CWG report is part of that endeavor and is in violation of FACA requirements. The CWG satisfies the FACA definition of being an "advisory committee," given that it was explicitly convened to provide recommendations and advice to the DOE and EPA, and the EPA has already used it as a basis for proposing to overturn the Endangerment Finding.

We briefly summarize here two primary areas of concern related to violations of FACA's procedural and substantive requirements, which are further elaborated in the August 12, 2025 legal filing from EDF and UCS.⁸⁰ These include:

1. **Secret selection of a biased group:** Secretary Wright quietly arranged for a hand-picked, non-representative group of individuals with a record of disputing mainstream climate science to draft the CWG report. The creation of this non-representative group—stacked with people who opposed the overwhelming consensus of the scientific community on climate science—does not meet FACA's requirements for balanced representation in such committees.
2. **Lack of transparency of the group's work:** The biased group of report drafters conducted their work in secrecy without any public meetings or public availability of information about their work. The very existence of the group was not revealed until months into its work. Under FACA, Congress mandated transparency in the establishment and operation of any federal advisory committee, including by requiring that the group's formation be promptly disclosed and that its meetings, emails, and other records be open to the public.

⁷⁹ Cooley, S., D. Schoeman, L. Bopp, P. Boyd, S. Donner, D.Y. Ghebrehiwet, S.-I. Ito, W. Kiessling, P. Martinetto, E. Ojea, M.-F. Racault, B. Rost, and M. Skern-Mauritzen, 2022: Oceans and Coastal Ecosystems and Their Services. In: *Climate Change 2022: Impacts, Adaptation and Vulnerability*. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 379–550, doi:10.1017/9781009325844.005.

⁸⁰ <https://library.edf.org/AssetLink/0kdlw6oq5v8hsvj152eqx01b0qn74uuq.pdf>

This report fundamentally fails to meet FACA requirements and thus should not be used to inform agency policies or decisions. The DOE and the EPA should publicly disclose all the relevant information about the drafting of the CWG report, and the workings of the group convened to draft it. Furthermore, if the DOE and EPA want to put together an advisory committee to assess the latest climate science, they should follow the law and all the applicable FACA requirements in doing so.


The CWG report must be retracted

In sum, this draft CWG report has been thoroughly debunked by the scientific community and was prepared through a fundamentally flawed and potentially unlawful process. It should immediately be discarded and definitively precluded from being used for agency decision-making. Given the extremely consequential nature of this report, we also object to the unusually short notice-and-comment period provided by the DOE.

There are ample legitimate scientific bodies and scientists that the DOE and EPA can turn to if they are genuinely interested in an updated assessment of the latest climate science to help guide policy decisions. The National Academies has convened a process—necessarily fast-tracked to fit within the arbitrarily short comment deadlines set by the agencies— as one avenue for this information.⁸¹ We urge the DOE and the EPA to stop colluding on these dangerous and destructive efforts to overturn the Endangerment Finding and repeal pollution standards for power plants, vehicles, and other sources of heat-trapping emissions. We urge the Trump administration to stop its wide-ranging assault on science and to restore science-based policymaking, with strong scientific integrity safeguards, across agencies.⁸²

The world is teetering on the brink of crossing the 1.5°C mark on a long-term basis, a critical benchmark for science-informed global climate goals. Yet global heat-trapping emissions are far off-track from where they need to be to limit the worst consequences of climate change. The United States cannot solve this problem alone—but as a leading contributor to global emissions, our nation’s actions have profound consequences for the trajectory of the climate crisis. Instead of doing everything it can to worsen the problem, the administration must help ensure our nation is part of the solution, for the sake of people today and for generations to come.

Comments submitted on behalf of the Union of Concerned Scientists by:



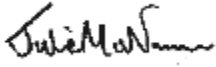
Rachel Cleetus, Ph.D. Senior Policy Director, Climate and Energy Program

⁸¹ National Academies of Sciences, Engineering, and Medicine. 2025. “National Academies Launch Fast-Track Review of Latest Evidence for Whether Greenhouse Gas Emissions Endanger Public Health and Welfare.” Press release. Online at <https://www.nationalacademies.org/news/2025/08/national-academies-launch-fast-track-review-of-latest-evidence-for-whether-greenhouse-gas-emissions-endanger-public-health-and-welfare>.

⁸² The Trump Administration’s recent attempts to undermine agency scientific integrity policies, including via a recent Executive Order and guidance from the Office of Science and Technology Policy, raises significant red flags. See <https://blog.ucs.org/jules-barbati-dajches/with-new-guidance-trump-administration-deceptively-targets-scientific-integrity/>



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