



February 12, 2025

The Honorable Lee M. Zeldin
Administrator of the U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

VIA EMAIL – Zeldin.Lee@epa.gov

Dear Administrator Zeldin:

Congratulations on your confirmation to serve as the 17th Administrator of the Environmental Protection Agency (EPA). On behalf of the Competitive Enterprise Institute (CEI), its board of directors, and staff, we are eager for you to bring new leadership and sensible policy changes to the nation's environmental policies.

There is no lack of opportunity for you and your team. No doubt, among your objectives is the reversal of many harmful rules promulgated by the Biden administration. This includes eliminating the *de facto* electric vehicle mandate rule and the "Clean Power Plan 2.0."

One of the most important actions you will take has a deadline that is quickly approaching. Under President Donald Trump's "Unleashing American Energy" executive order, you have been directed to make joint recommendations regarding the 2009 endangerment finding. Specifically, the January 20th executive order states:

(f) Within 30 days of the date of this order, the Administrator of the EPA, in collaboration with the heads of any other relevant agencies, shall submit joint recommendations to the Director of OMB on the legality and continuing applicability of the Administrator's findings, "Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act," Final Rule, 74 FR 66496 (December 15, 2009).

Based on responses during your recent Senate confirmation hearings, it is clear you bring a depth of knowledge to your new role and the responsibilities with which you have been charged regarding the endangerment finding. With one week remaining to submit joint recommendations to the Director of OMB, I offer the following points for consideration.

- The 2009 endangerment finding is the linchpin and predicate for all of the agency's greenhouse gas regulations.
- All regulatory decisions by the agency should be informed by the latest and best available science. Nonetheless, the EPA has routinely developed new greenhouse gas regulations based on a finding that fails this test.
- As a result, significant legal, technological, economic, and statistical questions are raised by the continued application of the 2009 endangerment finding.

We appreciate that the prescribed timeline for initial recommendations is a constraint. However, at a minimum, we urge you to convey the general problems of the 2009 endangerment finding. It creates the space necessary for the EPA to address the manifold problems presented and to create durable policy informed by sound analysis.

As you may know, CEI has a significant history and deep expertise with environmental policy, greenhouse gas regulation, and the endangerment finding. I urge you to call upon CEI as a resource on this and other vitally important work of the EPA.

I look forward to discussing the endangerment finding and other issues of mutual interest with you in more detail at your first convenience.

Sincerely and in liberty,



Kent Lassman
President and CEO

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