



March 5, 2024

The Honorable Buddy Carter, Chair
 Committee on Energy & Commerce
 Subcommittee on Environment,
 Manufacturing, and Critical Minerals
 U.S. House of Representatives
 Washington, D.C. 20515

The Honorable Paul Tonko, Ranking Member
 Committee on Energy & Commerce
 Subcommittee on Environment,
 Manufacturing, and Critical Minerals
 U.S. House of Representatives
 Washington DC 20515

Dear Chair Carter and Ranking Member Tonko:

The undersigned health, medical and nursing organizations strongly oppose the Air Quality Standards Implementation Act of 2024 – better named the Smoggy Skies Act. Many versions of this bill have tried and failed to become law in the past because at the end of the day, this bill would undermine sound science and public health.

Clean air is fundamental for good health and the Clean Air Act promises all Americans air that is safe to breathe. The Clean Air Act works – decades of implementation have shown that the law’s provisions have cleaned up pollution at the same time as the economy has grown, with the benefits far outweighing the costs. Since the passage of the 1970 Clean Air Act amendments, the United States Gross Domestic Product has grown by 304% while emissions of criteria air pollutants have been reduced by 78%, evidence that cleaner air supports economic growth. This bill would permanently weaken the Clean Air Act by gutting one of its most important programs: the National Ambient Air Quality Standards.

Despite decades of progress, air pollution still kills. In 2019, deaths in the United States attributable to particle pollution was estimated to be nearly 48,000. Air pollution also contributes to morbidities such as asthma attacks, cardiovascular harm, emergency room visits, onset of lung cancer and more every year. The National Ambient Air Quality Standards are a critical path to continued pollution reductions and more lives saved. But despite the clear

evidence of the need for greater protection from air pollution matched with the Clean Air Act's balanced process for continued cleanup, the Smoggy Skies Act would impose additional delays and sweeping changes that threaten health, particularly the health of children, seniors and people with chronic disease.

The National Ambient Air Quality Standards have driven much of the Clean Air Act progress. Under the law, EPA must regularly review the scientific evidence of health harms from six common and dangerous outdoor air pollutants, including particulate matter. If the science shows that the current limit on a given pollutant does not accurately reflect the science, EPA must update it. Under the Smoggy Skies Act, EPA would have to wait as much as a decade to consider new evidence when setting standards. Ten years is far too long to wait to protect public health from levels of pollution that science shows are dangerous.

A key success of the National Ambient Air Quality Standards is the requirement that standards be set based on what the latest science says is necessary to protect health. Cost and feasibility are fully considered in the implementation phase of the standard, where states work with EPA to develop a flexible plan to clean up air pollution if their levels are unhealthy. This health-based approach has been upheld by the Supreme Court in an opinion issued by Justice Antonin Scalia. The Smoggy Skies Act would permanently weaken the core health-based premise of the Clean Air Act by incorporating considerations of technological feasibility into the standard-setting – basically, siding with the polluters.

While the text might have modifications from previous versions, make no mistake: This bill is a wolf in sheep's clothing. It is the same failed attempt to weaken the Clean Air Act and codify unhealthy air that the public health community has strongly opposed in the past and will continue to oppose.

Please prioritize the health of your constituents and vote NO on the Air Quality Standards Implementation Act – the Smoggy Skies Act.

Sincerely,

Allergy & Asthma Network
Alliance of Nurses for Healthy Environments
American Heart Association
American Lung Association
American Public Health Association
American Thoracic Society
Asthma and Allergy Foundation of America
Asthma & Allergy Foundation of America – Michigan Chapter
Children's Environmental Health Network
Climate Psychiatry Alliance
Health Care Without Harm
Medical Students for a Sustainable Future

MI Air MI Health
Michigan Clinicians for Climate Action
Montana Health Professionals for a Healthy Climate
National Association of Pediatric Nurse Practitioners
National Environmental Health Association
National Hispanic Health Foundation
National Hispanic Medical Association
National League for Nursing
Oncology Advocates United for Climate and Health - International
Physicians for Social Responsibility
Physicians for Social Responsibility Maine
Public Health Institute
Respiratory Health Association
San Francisco Bay Physicians for Social Responsibility
Texas Physicians for Social Responsibility
Virginia Clinicians for Climate Action
Washington Physicians for Social Responsibility