

Testimony of Congresswoman Jane Harman
Before the Senate Environment and Public Works Committee
January 10, 2008
At Los Angeles City Hall

(As prepared)

Chairwoman Boxer and Members of the Committee,

Thank you for inviting me to testify today.

There are few challenges of more critical importance than halting and reversing global climate change.

This Committee – and Chairwoman Boxer, in particular – should be congratulated for its leadership in tackling this issue and for today’s hearing. Recent actions by Congress – notably the landmark climate change legislation this Committee produced at the end of 2007 and the recently enacted energy bill – represent real progress.

But these actions were not intended to give EPA an excuse to deny California’s application for a waiver under the Clean Air Act to regulate greenhouse gas emissions from vehicles. The EPA has taken a giant leap backwards in the fight against global warming.

I agree with others testifying today that the EPA’s decision was misguided as a matter of law. The Clean Air Act gives California the right to set its own, more aggressive emissions standards. I see no compelling reason why the outcome should be any different when those emissions involve greenhouse gasses.

But the EPA's decision was equally misguided as a matter of policy.

California is a bellwether state, and many of the ideas and initiatives that form the core of national energy policy have their origin in the Golden State.

The recently enacted energy bill provides an excellent example of the benefits that flow from California's creativity.

Senator Boxer and I helped draft the bill's provisions that deal with lighting efficiency which, in addition to the increase in CAFE standards, provide most of the energy savings that will flow from the legislation.

Most Americans still use essentially the same incandescent light bulbs invented by Thomas Edison more than 120 years ago.

These bulbs are famously inefficient. Only 10 percent of the energy these bulbs consume becomes light. The remaining 90 percent is wasted as heat.

The energy bill phases out all inefficient incandescent bulbs by 2014, and by 2020 requires that all light bulbs be approximately three times more efficient than today's 100-watt incandescent.

The energy savings from these provisions will be staggering. The Alliance to Save Energy estimates that the lighting provisions alone will prevent 100 million tons of carbon dioxide from being released annually, by 2030. That's the equivalent of taking 20 million cars off the road.

I believe one of main the reasons we were able to take such a big step at the federal level is directly related to California's leadership. Last year, the state enacted legislation proposed by

Assemblyman Jared Huffman to cut California's use of energy from residential lighting by 50 percent in 10 years.

That leadership not only provided an example for the nation, it forced the lighting industry to the bargaining table – laying the groundwork for our bipartisan legislation.

We recognized this leadership when we drafted the bill by protecting California's prerogatives. The bill the President signed gives California the authority and flexibility to set standards sooner than otherwise allowed by federal law.

Chairwoman Boxer was instrumental in protecting California's right to innovate and protecting it from preemption, and I thank you for your leadership and steadfast support.

But lighting is just the tip of the (quickly melting) iceberg. Our state passed ambient air quality standards before the US EPA was even established. Our state passed auto emissions standards years before the OPEC oil embargo of the 1970's. And our state acted first – though I hope not last – to cap carbon dioxide emissions.

California's experience with air pollution and its love-affair with the automobile have also made us innovators. But the story behind our state's leadership is not just about west-coast geography and culture. Why else would 14 states have adopted California's vehicle emissions standards?

California's role in our nation's environmental history comes down to what Justice Louis Brandeis argued in a 1932 Supreme Court decision. "It is one of the happy incidents of the federal system," he wrote, "that a single courageous state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country."

California has been that courageous state and our nation's premier laboratory – for energy policy and more. I am proud to say that our “experiments,” to use Justice Brandeis' term, have paved the way for some of the most successful federal automotive and air quality programs and statutes in place today.

Punishing California for its courage – as the EPA has done – is not only a blow to our state and the health of our citizens. It is a blow to the environment, and to federal policymakers who rely on California's efforts to study how our nation can promote energy independence and fight climate change.