



August 27, 2025

Amanda Staudt
National Academies of Sciences, Engineering, and Medicine
500 Fifth St., N.W.
Washington, D.C. 20001

Submitted via the National Academies web site

RE: "Anthropogenic Greenhouse Gases and US Climate: Evidence and Impacts"

Dear Ms. Staudt:

On behalf of the Competitive Enterprise Institute, I appreciate this opportunity to provide comments regarding the National Academies' fast-track study that "will review evidence for whether anthropogenic emissions of greenhouse gases to the atmosphere are reasonably anticipated to endanger public health and welfare in the United States."¹ This comment will focus on the process that is being employed in developing this study.

The National Academies are supposed to be independent bodies that can be trusted to deliver objective analysis.² The current decision to move forward with a fast-track study on climate in the proposed manner undermines the legitimacy of the organizations.

By their own admission, the National Academies are conducting the study to influence the Environmental Protection Agency's (EPA) rulemaking "Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards."³ In their August 7 press release announcing the study, the National Academies explained:

The EPA recently announced that it intends to rescind its "endangerment finding," a statement issued by the agency in 2009 that found that greenhouse gas emissions do pose

¹ National Academies of Sciences, Engineering, and Medicine, *Anthropogenic Greenhouse Gases and US Climate: Evidence and Impacts*, <https://www.nationalacademies.org/our-work/anthropogenic-greenhouse-gases-and-us-climate-evidence-and-impacts>.

² This is not to say that they have lived up to this expectation.

³ Environmental Protection Agency, "Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards," proposed rule, *Federal Register*, Vol. 90 No. 146 (August 1, 2025), pp. 36288-36365, <https://www.federalregister.gov/documents/2025/08/01/2025-14572/reconsideration-of-2009-endangerment-finding-and-greenhouse-gas-vehicle-standards>.

risks to public health and welfare. The National Academies study will be completed and publicly released in September, in time to inform EPA's decision process.⁴

This begs the question: who requested this study? It was not the EPA. This is allegedly a self-funded study, so it appears to have been initiated in-house or by non-governmental parties. In this instance, the National Academies on their own decided to try and influence a specific federal rulemaking after the proposed rule was published.

It belies common sense to think this was some effort to help the agency. The report appears to be, and is almost certainly, an effort to push back on what has been proposed by the EPA based on predetermined opinions. This is not the action of independent and objective bodies.

Timing. The decision to conduct the study during the rulemaking is bad enough. However, there are numerous other problems with the timing of the study. The National Academies announced the study on August 7 and stated that it would be released in September. Even if such a tight schedule was met, the final report would be such a rush job given the scope of the issue and the National Academies' own processes that this by itself would render it an illegitimate product.

However, there is no way the September deadline can be met if the process works as it should, (even if we were talking about the end of September). As it is, the National Academies has said it wants to influence the EPA's decision making. The proposed rule's deadline is September 22.

The provisional committee was announced in August and committee membership, according to the National Academies, will not be finalized until after the Academies receive comments on these individuals.⁵ The comment deadline regarding committee membership is September 11. The National Academies must then review the comments and if this is done in a remotely thoughtful manner, it will take some time, likely weeks. Then the study needs to be written and after this, it must be peer-reviewed as required by the National Academies own internal policies.⁶ This would not just be difficult to do by September 22, it would be impossible.

So how could the September deadline possibly be met? Maybe the study was being written before the committee was formed, which of course would be inappropriate. Another possibility is that the provisional committee is writing the report before the committee is finalized. This would also be inappropriate. After all, what if a provisional member or members are removed from the committee? Their influence and work product would still inform the study. Plus, new members

⁴ National Academies of Sciences, Engineering, and Medicine, "National Academies Launch Fast-Track Review of Latest Evidence for Whether Greenhouse Gas Emissions Endanger Public Health and Welfare," news release, August 7, 2025, <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>.

⁵ National Academies of Sciences, Engineering, and Medicine, *Anthropogenic Greenhouse Gases and US Climate: Evidence and Impacts*, <https://www.nationalacademies.org/our-work/anthropogenic-greenhouse-gases-and-us-climate-evidence-and-impacts>.

⁶ Ibid.

should be part of the process and not be added at the last second without having any influence on the original formulation of the report.

Politicization of Science. The National Academies trying to influence the EPA’s rulemaking at the last second demonstrates the politicization of the National Academies. This action is a good indicator that the study is going to be driven by political and ideological objectives rather than trying to provide a thoughtful report on science. The current committee composition, which as others will likely point out in other comments,⁷ is a concern as well.

The charge itself though is also a reflection of the politicization of science. As explained in the description, “This fast-track study will review evidence for whether anthropogenic emissions of greenhouse gases to the atmosphere are reasonably anticipated to endanger public health and welfare in the United States.”

This language in part mirrors Section 202 of the Clean Air Act (CAA),⁸ which is the relevant statutory section for the current rulemaking. Answering a question grounded in statutory language presents the committee with having to determine the meaning of statutory language. As a matter properly for legal analysis, this is beyond the scope and expertise of the committee and inappropriate for a scientific study. If the committee asserts that it is answering the endangerment question independent of the statute, then any answer provided is irrelevant to the EPA given that the agency does not have the “luxury” of ignoring the statute.

The conflation of science, policy, and law is a broader problem that must be addressed by the scientific community and policymakers. The National Academies should not create yet another example of a scientific report going beyond the science into areas beyond the expertise of scientists.

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The National Academies are supposed to be credible and independent organizations. Developing a study on their own to counter a rule they do not like in a rushed manner that inherently would require ignoring proper procedural steps to meet a September deadline would do significant damage to the National Academies’ reputation. More importantly, it would hurt the public through the dissemination of an illegitimate report masquerading as credible science.

Sincerely,

Daren Bakst
Director, Center for Energy and Environment
Competitive Enterprise Institute

⁷ Please see, for example, the CO2 Coalition/Gregory Wrightstone comments.

⁸ 42 U.S.C. § 7521, <https://www.law.cornell.edu/uscode/text/42/7521>.