

March 7, 2011

The Honorable Mike Johanns  
404 Russell Senate Office Building  
Washington, DC 20510

Dear Sen. Johanns

On behalf of the over 53,000 members of the Nebraska Farm Bureau Federation, I would urge you to support and cosponsor S. 484, the *Energy Tax Prevention Act of 2011*, introduced last week by Senators James Inhofe and Fred Upton. This important piece of legislation would preempt regulation of greenhouse gases (GHG) by the Environmental Protection Agency (EPA) based on climate change considerations. Just as you stood with us and supported similar measures such as Sen. Murkowski's resolution and Sen. Rockefeller's bill, we would appreciate your support again.

Clearly, the regulation of GHGs does not fit within the current framework of the Clean Air Act. Unlike other regulated pollutants, for which Clean Air Act thresholds are sufficient to regulate the largest emitters, GHG regulation at statutorily required thresholds will place costly and burdensome permit requirements on farms, ranches, schools, hospitals and even some large residences.

As you know, farmers and ranchers will be particularly disadvantaged. The costs incurred by utilities, refiners and manufacturers to comply with GHG regulations will be passed along to their customers, including farmers and ranchers, increasing their fuel, fertilizer and energy costs. Unlike many other businesses, farmers and ranchers have little ability to pass these increased input costs on to their consumers. Additionally, many farmers and ranchers may eventually be required to obtain costly and burdensome Title V operating permits or New Source Review/Prevention of Significant Deterioration permits pursuant to the thresholds set by the Clean Air Act. EPA itself estimates that more than 37,000 farms will be subject to Title V permits, at a cost of more than \$866 million.

While the costs of compliance may be high, the environmental benefits from EPA regulation are marginal at best. Unless and until an international agreement is reached, unilateral action by EPA will have little or no environmental impact. EPA Administrator Jackson has acknowledged this in testimony before Congress.

The president has stated that congressional action is a better way to address the issue than EPA regulation. We agree. The *Energy Tax Prevention Act* recognizes this as well and places the responsibility for dealing with this issue where it belongs – in Congress. We again commend you for the work you have done on this issue already and the work you continue to do on behalf of Nebraska agriculture.

Sincerely,



Keith Olsen  
President