

**Testimony Regarding the Nomination of Brett Kavanaugh
to Serve as an Associate Justice of the U.S. Supreme Court**

U.S. Senate Committee on the Judiciary

by

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Senator Grassley, Senator Feinstein, and Members of the Senate Judiciary Committee, my name is Hunter Lachance. I live in Kennebunkport, Maine and I am a sophomore at Kennebunk High School.

I am 15 years old and suffer from asthma. I live in a state that has some of the highest rates of asthma in the nation. According to the Maine Center for Disease Control, nearly 12% of the adults in our state have asthma, compared with 9% nationally. Maine children also suffer from a higher rate of asthma than the national average. I am one of those statistics.

Despite Maine's many beauties, it has worse air quality than most people realize.

Because Maine sits at the end of America's "tail-pipe," air pollution from upwind states is carried into Maine by the prevailing winds. Air pollution makes life extremely difficult for those of us with asthma, and it makes it harder for me to breathe.

For me to live a healthy life, air pollution needs to decrease; not increase. I am concerned that the Supreme Court could make major decisions in the next few years that will cause air pollution in Maine to increase if Brett Kavanaugh is confirmed.

Many people in this room may have asthma, or know someone who does. So what I'm about to describe may be familiar to you.

Here is a coffee stirrer. If you have one, I encourage you to put it to your mouth and try breathing through it. Now, imagine only being able to breathe through a hole this size for an hour, or a day, or even a week. That is what it feels like during an asthmatic attack.

Unfortunately, I am not alone in having asthma impact my life. Asthma affects nearly 25 million Americans, including over 6 million children. Nearly 2 million people go to an emergency room each year because of asthma.

I am here today because my future, and my health, may depend on it.

I am just your everyday kid from Maine. I play sports, like to swim, and love playing in the snow. But my active life changed when I was diagnosed with asthma at age 10. Suddenly, everything became more difficult. I was sidelined from sports, began missing school, and my parents constantly worried about my health.

The year after I was diagnosed, I missed close to a quarter of the school year. I can vividly remember times when my asthma attacks were so strong and scary that I was removed from class by my teacher and sent to the nurse's office. Most of the time, the nurse sent me home or asked my parents to get me medical attention. I remember one really bad attack when I was home sick for 3 weeks straight.

Asthma is a leading reason why kids miss school, and it has directly impacted my ability to learn from my teachers and spend time with my friends.

Although air pollution doesn't cause asthma, it triggers attacks. On ozone alert days, people across the country have trouble breathing. And this should worry everyone. It worries me.

In Maine, we need strong federal regulations on air pollution because pollution doesn't stop at state borders. If states upwind from Maine are allowed to pollute more because federal regulations are weakened, then that's bad for me. It's bad for Mainers. And it's bad for anyone in America who suffers from asthma or a respiratory disease.

That's why I'm here. I'm deeply concerned that if Brett Kavanaugh is on the Supreme Court, he would vote to weaken laws that protect my health—because he already has. In a 2012 ruling, he rejected the Cross-State Air Pollution Rule based on the Clean Air Act's "Good Neighbor" provision, which regulates air pollution that crosses state lines. According to the EPA, this rule reduces sulfur dioxide and nitrogen oxide pollutants and will prevent 34,000 premature deaths.

During his time on the DC Circuit Court of Appeals, Mr. Kavanaugh has repeatedly struck down other Clean Air Act protections. This worries me a lot because clean air is a life or death issue for so many people like me. We need a Supreme Court that will protect clean air because lives depend on it.

We also need a Supreme Court that will uphold protections to address climate change because my generation's future depends on it. For me, climate change means that life will be even more difficult with more ozone alert days, more dust and soot in the air from forest fires, and more mold due to extreme weather and flooding.

Here's my coffee stirrer again. Next time you have the chance, pick one up and try breathing through it, and see how long you can last. This is what it's like to suffer through a serious asthmatic attack. If the Supreme Court fails to protect clean air, then it is failing to protect me and millions of other Americans.

Please don't confirm someone for the Supreme Court with a record like Judge Kavanaugh's—a record that could mean more air pollution, more asthma attacks, and more premature deaths for the millions of Americans unfortunate enough to be afflicted with asthma like me.

Thank you for letting me testify today.