

**OVERSIGHT OF THE U.S. ENVIRONMENTAL  
PROTECTION AGENCY**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON  
OVERSIGHT AND ACCOUNTABILITY**  
**U.S. HOUSE OF REPRESENTATIVES**  
ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

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JULY 10, 2024  
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# OVERSIGHT OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Wednesday, July 10, 2024

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY  
*Washington, D.C.*

The Committee met, pursuant to notice, at 10 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Gosar, Foxx, Grothman, Palmer, Higgins, Sessions, Biggs, Mace, Fallon, Donalds, Perry, Timmons, Burchett, Greene, McClain, Boebert, Fry, Langworthy, Burlison, Raskin, Norton, Lynch, Krishnamoorthi, Mfume, Ocasio-Cortez, Bush, Brown, Stansbury, Garcia, Frost, Lee, Crockett, Goldman, Tlaib, and Pressley.

Chairman COMER. The hearing of the Committee on Oversight and Accountability will come to order.

I want to welcome everyone here today.

Without objection, the Chair may declare a recess at any time.

I now recognize myself for the purpose of making an opening statement.

Today, we are conducting oversight of the Biden Administration's Environmental Protection Agency.

EPA Administrator Michael Regan leads EPA as it implements President Biden's environmental agenda.

Not only did President Biden have a disastrous debate performance, but his entire Presidency has also been disastrous for the American people. President Biden's radical agenda has pushed out massive, costly regulations.

From the moment he stepped into office, President Biden, or at least those around him, pushed out sweeping executive orders and regulations aimed at transforming critical sectors of our economy. From transportation to power generation, this Administration has enacted a whole-of-government approach to change how these sectors operate, in service to the left's radical climate agenda.

And no cost is spared. But folks at home around this country will be left footing the bill for the price of these massive rulemakings. The EPA's largest regulations, such as the tailpipe emissions rules for light-, medium-, and heavy-duty vehicles, have been estimated to cost nearly \$900 billion to implement.

Those rules require automakers to completely redesign their operations to produce more electric vehicles, regardless of what con-

sumers are demanding in the actual marketplace. Instead of letting consumers and the market decide what products fit their lifestyle needs, the Biden Administration wants to force them into these decisions, no matter what the cost is.

EPA is also implementing costly regulations designed to force coal-fired power plants out of the power-generation sector. Coal produced over 16 percent of the total electricity generation in the United States in 2023, according to the U.S. Energy Information Administration. In my home state of Kentucky, over two-thirds of our electricity is generated by coal-fired plants.

But EPA's rules will force the premature retirement of reliable sources of electricity like coal plants at a time when electricity demand continues to rise. Removing reliable power-generation capabilities undermines the stability of our electric grid and puts consumers at risk of rolling blackouts and forced rationing of electricity. As these rules go into effect, Americans will be left literally powerless.

How can the Administration push to electrify the U.S. vehicle fleet on the one hand, while it undermines the reliability of the electric grid on the other?

During the 118th Congress, this Committee has investigated numerous regulations of various sizes and scopes, but one thing keeps reappearing: higher costs of regulation leads to higher costs for consumers.

The Biden Administration has either ignored or refused to learn this basic economic lesson. It is very simple. When the Federal Government imposes new massive regulations, the costs of compliance just do not magically vanish into the air. Those costs are passed on to consumers, who will be faced with higher prices and fewer choices in the market.

And the numbers are staggering. By their own estimates, the Biden Administration, in just 3 1/2 years on the job, has imposed over \$1.6 trillion in estimated new Federal regulatory costs. And \$1.3 trillion of those costs, over 80 percent of the total, are from you, EPA regulations.

Americans are already starting to see higher prices and fewer choices because of regulation, and we can expect it will only get worse as these rules really kick into high gear. Gas prices have skyrocketed, utility bills continue to increase, and inflation has eaten into every household's spending power.

Administrator Regan, you committed at your confirmation hearing to build consensus around pragmatic solutions and to work in partnership with Congress. Well, sir, the sheer cost of the regulations coming out of the Biden Administration does not strike me or many Americans as pragmatic solutions at all. \$1.3 trillion just from the EPA is setting us down a dangerous path of over-regulation.

I hope that we can impress upon the Administration today how much it needs to start putting the interests of the American people first and not simply look to appease these well-organized left-wing special-interest groups and climate scaremongers. Americans cannot afford the bill they will ultimately be left paying by this Administration.

I want to thank you.

And I now yield to the Ranking Member for his opening remarks. Mr. RASKIN. Thank you kindly, Mr. Chairman.

And thank you to Administrator Regan for joining us here today. It is another brutal summer in Washington, but, as we say on Capitol Hill, it is not the heat, it is the stupidity.

And Americans today face the accelerating ravages of the climate crisis, including extreme heat waves. Last year was the hottest year on record in more than 100,000 years. And the hottest year before that was the prior year. And the hottest year before that was the year before that.

So, we are talking about record extreme heat, record violent flooding, record wildfires destroying millions of acres of land in the West, record-velocity hurricanes and tornadoes.

And yet, a lot of our colleagues are still in denial. In fact, their "Project 2025" plan for America would ban the use of the word "climate change." They want to delete the possibility of even talking about climate change, much less taking any action on it.

Millions of Americans are suffering the health effects of legacy pollution, dangerous air quality, and other kinds of toxic contamination. The work of the EPA has never been more urgent.

Under the Presidential Administration of Joe Biden and Kamala Harris, the EPA has taken decisive action to put the health of the people before the profits of polluters and to confront climate change and toxic contamination of our communities.

This includes new rules limiting pollution from coal and natural gas power plants. It includes a new rule limiting pollution from chemical plants that will reduce cancer risks for vulnerable communities; new rules for cars and trucks that will cut pollutants and reduce premature deaths, heart attacks, asthma, and fuel costs for Americans; and sweeping efforts to protect our population from lead and carcinogens in the drinking water.

Our colleagues who support a twice-impeached convicted felon for President would have us believe that EPA's agenda is a radical one. The agenda we should be concerned about is Donald Trump's radical, anti-science, corporate polluter agenda which he would give away to Big Gas and Big Coal and Big Oil for a billion dollars in campaign contributions.

The week before last, the Supreme Court gutted the Chevron doctrine, which will invite the Justices now to impose their policy preferences over the agencies that are working to implement congressional will.

And with last week's Corner Post decision, the Court's extremists rejected decades of precedent to open Federal agencies up to what Supreme Court Justice Jackson described as a "tsunami of lawsuits that threaten to devastate the functioning of the Federal Government."

These cases were backed by dark-money, corporate-power interests, including the Koch network and the Chamber of Commerce, both who come to lobby against environmental rules that are being adopted by the EPA.

These are just the latest GOP attacks on the environmental protections that Americans want and need. According to a recent Gallup poll, a sweeping majority of Americans believe climate change

is real and that we need to act on pollution of our air and our water and destabilization of the climate.

Yet, just 2 months ago, Trump met with Big Oil executives and lobbyists to sell out U.S. energy policy. At a steak dinner, Trump told Big Oil and Big Gas CEOs that, in exchange for a billion-dollar contribution to his campaign, he would roll back environmental rules that protect us from unchecked pollution by the fossil-fuel industry.

We sent a letter to these CEOs in order to get more information about what happened at that dinner, and I am still hoping and waiting for our colleagues to join us in getting to the bottom of that.

The extremist Republican anti-environment agenda is laid out clearly in the infamous “Project 2025” playbook, which would pick up where the Trump Administration left off by gutting clean-energy programs, repealing environmental rules, and eviscerating the EPA’s budget and staff and their ability to act against pollution.

To anybody who doubts the role that environmental rules and the EPA has played, I suggest looking at the Cuyahoga River near Cleveland, Ohio.

In 1969, this river was one of the most polluted waterways in the country, and it actually caught on fire. A river caught on fire. That catastrophe and its health consequences led to the creation of the EPA and enactment of the Clean Water Act that our colleagues now want to undermine and destroy.

Here is what the Cuyahoga River looked like before the EPA existed. And this is the America that some politicians want us to go back to, a time when the rivers were so polluted that prolonged exposure to the water would result in an emergency room visit.

Now, on the other hand, after decades of work with local and state governments and communities, here is what the Cuyahoga River looks like today. We can literally see the physical difference made by the work of the EPA.

This is what we have been able to do with the Clean Water Act and the Clean Air Act and the muscular enforcement that both the right-wing MAGA Court and the right-wing MAGA Congress want to destroy and reverse.

While extreme Republicans continue to prioritize Big Oil and corporate polluters over the health and safety of our people, and as our health and environmental protections are dismantled before our eyes by the Supreme Court, it is essential that we back the EPA and we sound the alarm about this attack on essential environmental regulations. The American people need to know the truth about what is at stake and what it means for our future.

Thank you, Mr. Chairman. I yield back.

Chairman COMER. The Ranking Member yields back.

Today, we are joined by the Honorable Michael S. Regan, who was sworn into office on March 11, 2021, as the Administrator of the U.S. Environmental Protection Agency.

Prior to his nomination as EPA Administrator, Mr. Regan served as the secretary of the North Carolina Department of Environmental Quality.

Pursuant to Committee rule 9(g), the witness will please stand and raise his right hand.



Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REGAN. I do.

Chairman COMER. Let the record show that the witness answered in the affirmative.

And I thank you. And you may take a seat.

We certainly appreciate you being here today and look forward to your testimony.

Let me remind the witness that we have read your written statement and it will appear in full in the hearing record. Please limit your oral statement to around 5 minutes. You are a very important witness, so if you need to go over a little bit, that is certainly fine.

As a reminder, please press the button on the microphone in front of you so that it is on and the members can hear you. When you begin to speak, the light in front of you will turn green. After 4 minutes, it will turn yellow. And when the red light comes on, we ask that you please wrap it up.

But, again, we know that you have a lot of important stuff to talk about today, and we certainly appreciate you being here.

I now recognize Mr. Regan for his opening statement.

**STATEMENT OF THE HONORABLE MICHAEL S. REGAN  
ADMINISTRATOR  
U.S. ENVIRONMENTAL PROTECTION AGENCY**

Mr. REGAN. Well, thank you, Chairman Comer and Ranking Member Raskin and members of the Committee.

I appreciate the opportunity to appear before you today to share the U.S. EPA's work to advance a cleaner and healthier Nation while ensuring that all people have clean air to breathe, clean water to drink, and that we remain globally competitive.

Our partnership and our open and transparent dialog with Congress is key to ensuring that my agency can carry out its mission of protecting public health and the environment.

And over the last year, EPA has been hard at work doing just that.

We are cleaning up our water. I am proud to say that we finalized historic protections that address PFAS contamination and will bring more than 100 million people cleaner drinking water. This will prevent thousands of deaths and reduce tens of thousands of serious illnesses across the country.

We are protecting people from toxic chemicals. We recently banned chrysotile asbestos, the last remaining kind of asbestos used in our country, which has been linked to more than 40,000 deaths in the United States each year.

Additionally, EPA's Toxic Substance Control Act program demonstrates how effective our work is when we receive adequate resources from Congress. With the increased resources we received in 2022 and 2023, EPA more than doubled the number of chemical reviews each month and cleared out more than half of the older backlog cases.

And we are also cleaning up our air. In March, EPA announced the final national pollution standards for passenger cars, light-duty trucks, and medium-duty vehicles for model years 2027 through

2032. These standards will avoid more than 7 billion tons of carbon emissions and provide nearly \$100 billion of annual net benefits.

EPA's greatest and most fundamental responsibility is protecting public health and the environment, and every single day we are upholding our commitment to the American people. EPA follows the science, we follow the law, and we remain committed to openness and transparency.

I am proud to say that, in April, my agency announced four final rules under separate authorities to reduce climate, air, water, and land pollution from fossil-fuel-fired power plants. Finalizing these standards on the same day helps ensure that the power sector can confidently prepare for the future by enabling strategic long-term investments and establishing an informed multiyear planning process.

Folks, I understand just how important our role is in the power sector and our Nation's economic growth and competitiveness. And I also understand that protecting public health has never come at the expense of a strong and durable economy. EPA's action reflects this understanding.

Transparency is key, and engagement is vitally important. I want to be clear. Through all of our rulemakings, we engage with and receive input from the regulators, the institutions, the stakeholders—all of the individuals who will help shape the future of our country.

Furthermore, President Biden's Bipartisan Infrastructure Law and Inflation Reduction Act provide a historic, once-in-a-generation opportunity to invest in America's future—a future that will change people's lives for the better.

The historic funding Congress has provided my agency is creating millions of jobs, modernizing our Nation's infrastructure, combating climate change, and putting us on a path to win the 21st century and beyond. And EPA is doing the job Congress has asked us to do, by putting these funds to work to fulfill our critical mission.

As an agency, EPA is dedicated to open communication, fairness, and transparent engagement with Congress and with the American people. EPA recognizes and respects the importance of Congress's interest in obtaining information necessary to perform its legitimate oversight.

With respect to the Oversight Committee, we have responded in good faith to Committee requests by providing approximately 23,000 pages of documents, a response to every letter from the Committee, 8 briefings, testimony at a Subcommittee hearing, and numerous staff-level calls.

And we are fully committed to continuing to cooperate with you as well as the Office of Inspector General and the U.S. Government Accountability Office.

I am confident and proud of the hard work at EPA, and I am proud of the work that we have undertaken to protect public health and the environment while responsibly stewarding taxpayer resources. Under President Biden's leadership, Americans in every state and every town will lead healthier lives, breathing cleaner air, drinking cleaner water, and seeing a brighter economic future.

Thank you for the opportunity to be here today to submit the testimony for the record, and I look forward to our continued partnership and answering all questions.

Chairman COMER. Thank you very much.

We will now begin our 5 minutes of questions. The Chair recognizes Mr. Palmer from Alabama for 5 minutes.

Mr. PALMER. I thank the Chairman.

Mr. Regan, you and my Democratic colleague mentioned the great work of the EPA. And I just wanted to point out that the photograph that he showed and the subsequent cleanup of the Cuyahoga River is indicative of all of our commitment to cleaning up our environment.

And we have made remarkable progress. Since 1980, our economy has grown by 791 percent, vehicle miles traveled has gone up 113 percent, population's increased by 47 percent—and that is probably not counting the illegals that have crossed our border—energy consumption's up 29 percent, but the six criteria gases that the EPA tracks have all gone down 60 percent. And that is your data.

One of the things that concerns me is about how you have gone about things, in basically taking the lawmaking authority away from Congress. I am very encouraged by the overturning of the Chevron deference that the Supreme Court did last week, because it restores the responsibility for lawmaking and the accountability for law-making to Congress, where it belongs.

But there is another thing that the EPA has been engaged in that concerns me, and that is basically sue and settle.

In March of this year, the inspector general issued a report that found the EPA does not properly store its procurement data, paving the way for fraudulent, collusive behavior with vendors receiving contracts and subcontracts. This prevents the inspector general from adequately conducting oversight.

Are you doing anything to correct this? That is——

Mr. REGAN. We have.

Mr. PALMER [continuing]. A “yes” or “no.”

Mr. REGAN. We have. Yes.

Mr. PALMER. OK. Good. I would like to know, if you would report to the Committee in writing, what you have done to correct this.

Because it is not the first time these questions have been raised about the EPA's potential collusion with friendly outside parties, especially with environmental groups during litigation. As I said, it is sometimes referred to as sue-and-settle litigation.

So, when was the last time the government audited the EPA's litigation? Have you had an audit?

Mr. REGAN. I am not quite sure of which specific audit you are referring to, but we——

Mr. PALMER. Your litigation.

Mr. REGAN [continuing]. We welcome all audits.

Mr. PALMER. Well, I would like to know, in a report to the Committee, whether or not you have had an audit of EPA involvement in litigation.

The Biden Administration revoked the Trump Administration policies to publish and notice settlement details and pre-litigation

announcements. And I want to know what efforts the EPA has made to reduce the settlement costs using taxpayer dollars.

Can you report that to the Committee as well?

Mr. REGAN. Yes, we can report to the progress we have made to evolve that document to provide more transparency, which is what those changes—

Mr. PALMER. But I want to know how much you have spent of taxpayer dollars in these settlement cases.

And if the government auditors cannot access data to adequately track management of contracts or litigation costs, then what resources are available to the Congress and the public to track the taxpayer expenses for these activities?

Do you have any response to that, in terms of your oversight? Because you should be reporting to Congress with full transparency about your litigation efforts in these sue-and-settle cases.

Mr. REGAN. I do believe that we are reporting responsibly to Congress. I meet frequently with my Inspector General. We have taken just about all of the recommendations—

Mr. PALMER. Well, your Inspector General, as I said, reported that you do not properly store your procurement data, which paves the way for fraudulent, collusive behavior. And that is one of my big concerns, is that there has been collusive behavior and involvement with these outside groups.

I want to move to something else that concerns me too, is, the House of Representatives sent two letters to the EPA—one was in December of last year; one was April of this year—signed by 22 Members respectively, including 10 members of the House Energy and Commerce Committee. Both letters raised serious questions about whether the EPA's proposed \$2 billion regulation on the lime industry is necessary, given that the EPA's own scientists have determined that the emissions from lime plants are already acceptable with an ample margin of safety.

And in September of last year, the House Science Committee held an oversight hearing, and you testified that you think—and you said this: “I think what we want to do is to ensure that we are meeting the letter of the law with as much flexibility as possible. I think we have to be reasonable, and I think we want to do—what we want to do is protect public health and ensure that these industries can be productive.”

How in the world is finalizing a \$2 billion regulation providing as much flexibility as possible and being reasonable?

Mr. REGAN. Well, I think if you look at that finalized action, we took into consideration many of the recommendations that industry asked us to—

Mr. PALMER. Do you know what lime is used for?

Mr. REGAN [continuing]. To also protect health and—

Mr. PALMER. Administrator Regan, do you know what lime is used for?

Mr. REGAN. I absolutely do.

Mr. PALMER. What is it used for?

Mr. REGAN. Well, it can be used for a lot of things, especially—

Mr. PALMER. Yes, but what is it primarily used for in the construction?

Mr. REGAN. You can use lime for agriculture. You can use lime for construction. I mean, there are a lot of uses for lime.

Mr. PALMER. You cannot make—it is a key ingredient in concrete, cement.

Mr. REGAN. It is a key ingredient in a lot of things; it is not just cement.

Mr. PALMER. And you just imposed a \$2 billion regulation on it. Then all that cost is going to be passed on to consumers and increase food prices, increase—

Mr. REGAN. We put protective standards in place so that workers and people who are exposed to lime are not—

Mr. PALMER. But your own—

Mr. REGAN [continuing]. Unduly—

Mr. PALMER [continuing]. Your own Administration says that you have determined it is acceptable with an ample margin of safety. That is not reasonable.

Mr. REGAN. Acceptable in certain instances. I think that is—

Mr. PALMER. Yes, well—

Mr. REGAN [continuing]. A narrative or a context that—I would love to have this conversation. Maybe we could look at the full breadth of the statement that the scientists are making.

Mr. PALMER. Your—

Mr. REGAN. I am very aware of the statements that our scientists are making, and so I think that may be out of context.

Mr. PALMER. Well, I am very encouraged by the Chevron deference being overturned, because it will restore to Congress our lawmaking authority and remove it from these agencies.

I yield back.

Chairman COMER. And the gentleman's time's expired.

We went a minute over, so the Democrats can have that extra minute at some point.

The Chair recognizes Ranking Member Raskin.

Mr. RASKIN. Thank you kindly, Mr. Chairman.

Mr. Regan, let me just follow-up on that, because I do think that there is a significant philosophical difference that was just surfaced in the colloquy between Mr. Palmer and yourself.

There is no doubt that there is industry that wants more of a freedom to pollute without having environmental rules imposed against them.

But your purpose is to defend the freedom to breathe clean air and drink clean water and have a safe working place.

And I wonder if you would describe what the mission of the EPA is.

Mr. REGAN. Well, the mission of the EPA is to protect public health and the environment, look at cost-effective technologies to do so, and ensure that this country can remain globally competitive.

And I do that in concert with state regulators in blue and red states, but also actively engaging industry to come up with the right solutions.

Mr. RASKIN. And that is a mission that has been, for a lot of American history, a bipartisan one. It was under President Nixon that the EPA was first created, right?

Mr. REGAN. Correct.

Mr. RASKIN. And so, there is nothing that should be partisan about the pursuit of clean air, clean water, clean working conditions. Do you agree with that?

Mr. REGAN. I agree with that.

Mr. RASKIN. OK.

I wonder, what is your perspective on what would happen if the proposals in the “Project 2025” blueprint for a MAGA takeover of government were implemented? What would happen if all of the rules that they want to repeal at the EPA were repealed?

Mr. REGAN. Well, listen, I think when you look at the massive cuts that are being suggested, we will not get new pesticides, new registrants on the market. We will significantly hurt our agriculture industry, reducing the herbicides that we can get on the market. We will not clear all of the litigation that has tied our hands to get chemicals on the market that we rely on every day.

Listen, we would have significant impacts to our water quality. Emerging contaminants like PFAS would run amok. We would continue to have lead-poisoned water all across the country.

We would not be able to look at how to clean up brownfield sites and benefit not just from a health standpoint but from the economic vitality and opportunity of cleaning up these blighted sites.

The list just goes on and on. America needs a strong EPA.

Mr. RASKIN. I remember when Donald Trump took out his sharpie and purported to change the direction of a hurricane. I think it was Hurricane Dorian back in 2019. But he basically said it was not going to hit the Florida coast, it was going to hit Alabama.

And he did this without any consultation with the National Weather Service or NOAA, where the National Weather Service is located. And then it created huge confusion and consternation.

I mean, what would happen if we replaced professional, scientific, civil-service management of agencies, like the Weather Service or NOAA or the EPA, with political flunkies, basically, people who are just willing to say whatever the President wants to say? What would that do to our ability to have effective public policy, if science is something that could just be made up by a President?

Mr. REGAN. If we do not follow the science and have qualified people in these positions, Americans will die.

We have a role to play, and we need to be able to predict the weather. We need to be able to respond to the weather. We need to be able to alert the public if danger is coming their way.

And once many of these communities are hit, whether it is a wildfire or a flood or a hurricane, we need to be able to go in and be activated to help bring those communities back to life. Whether it is Maui, Hawaii, or whether it is East Palestine, Ohio, or Jackson, Mississippi, when a city is hit, we need experts to come in and ensure that there is clean air and clean water.

Mr. RASKIN. So, how have you regarded the war on science and the war on public health that we saw during COVID-19, we saw on this Committee when Dr. Fauci came the other day? We had members of this Committee accusing Dr. Fauci of having created COVID-19 and profiting from it.

How do you experience that attack on science in terms of your ability to get your work done?

Mr. REGAN. Well, you know, it is threatening reality and the facts. And what we have done under this Administration is restore scientific integrity, which, by the way, industry, businesses, all of our economic partners applaud us for doing this.

We are saving lives, and we are putting pragmatic, practical regulations in place so that we can provide many of our industries regulatory certainty. They need to have regulatory certainty so that they can make the proper investments.

Mr. RASKIN. So, would you say that the success of the EPA depends on the integrity of the science that goes into it, and you are threatened by the political science of the MAGA people who say, we want to dictate a political agenda to people who work for EPA or the Weather Service or NOAA?

Mr. REGAN. Politics of no party has any role in scientific integrity. And if we do not remain in a place where we are transparent and bolstering our scientific integrity, we will lose the trust of the public.

Scientific integrity is the core—is at the core of EPA's mission to protect all people.

Mr. RASKIN. Thank you very much for your hard work.

And, Mr. Chairman, I yield back to you.

Chairman COMER. All right.

The Chair now recognizes Mr. Higgins from Louisiana for 5 minutes.

Mr. HIGGINS. Thank you, Mr. Chairman.

Administrator Regan, you said you do not want to lose the trust of the American people. Too late. It has already happened.

Economic prosperity is the cornerstone of societal advancement worldwide. And the cornerstone of economic prosperity is affordable, abundant, transportable energy product.

Ladies and gentlemen and you young Americans across the country, please join me in loving your planet and living your life in a manner that you intend to protect your planet for future generations by recognizing that economic prosperity worldwide is the number-one driver of clean air and clean water and reduced pollution worldwide.

So, the energy product that the world consumes, including the fuel that you used to get here, the petrochemical products produced by the fossil-fuel industry that Mr. Regan is wearing upon his back, the clothes that you are wearing, the carpet upon which you are standing, the finish on the chair where you are sitting, the petrochemical products that make up 100 percent of the phone or the computer that you are typing on, is consumed worldwide.

Our world being one, if you are concerned about the ecological impact of mankind upon your planet and you recognize that mankind is going to consume petrochemical products, then you would want it produced in the region of the Earth where it is produced the cleanest, under the most stringent regulations and the most industry-driven technological advancements to deliver clean, affordable product. That is the United States of America.

Men like Mr. Regan have carried a torch that is 100 percent driven by an agenda to smash the American energy industry. He is the one that is agenda-driven, not me.

The American energy industry and the American petrochemical industry is, with no debate, the cleanest producer of affordable energy product and affordable petrochemical product in the world. And every one of you consume it. Own that, because that is where we are.

In the future, I have no doubt that there will be a gradual transition to things unknown. This is the nature of life. It is the way things roll. But to have it—have an agenda-driven Green New Deal, anti-American, anti-American-energy, anti-American-petrochemical agenda shoved down our throat by an Administration that claims it is doing so on behalf of protecting the world's ecological stability by forcing the production of these products into regions of the world that have far less concern about their ecological impact, that is hypocrisy at its worst.

And I, for one, am going to use every authority that Congress allows me to legally wield to push back against it.

Mr. Chairman, I ask for unanimous consent to enter into the record the Joint Resolution 161, a joint resolution calling for the reversal of the EPA rule submitted by this gentleman and his department. I ask for unanimous consent.

Chairman COMER. Without objection, so ordered.

Mr. HIGGINS. Mr. Regan, do you have plans for next year, sir? Do you have plans for next year?

Mr. REGAN. I have plans for every year.

Mr. HIGGINS. What are your plans for next year?

Mr. REGAN. Well, my plans are personal, and I do not—

Mr. HIGGINS. Well, I am asking you professionally.

Mr. REGAN [continuing]. I do not know you. Well, I—

Mr. HIGGINS. Do you have plans to continue—

Mr. REGAN [continuing]. Am not obligated—

Mr. HIGGINS [continuing]. Your battle—

Mr. REGAN. I am not—

Mr. HIGGINS [continuing]. That you are carrying that torch for?

Mr. REGAN. With you just assaulting me and saying I am un-American, now you want to know—

Mr. HIGGINS. You think this is an assault?

Mr. REGAN [continuing]. Now you want to know what my plans—

Mr. HIGGINS. We are definitely living in two different worlds.

Mr. REGAN. Oh, yes, we are in two different worlds.

Mr. HIGGINS. Mr. Chairman—

Mr. MFUME. Mr. Chairman—

Mr. HIGGINS [continuing]. I appreciate—

Mr. MFUME [continuing]. I have an inquiry.

Mr. HIGGINS [continuing]. This hearing being convened.

Mr. MFUME. Mr. Chairman? Mr. Chairman, I have an inquiry.

Chairman COMER. The gentleman from Maryland, Mr. Mfume.

Mr. MFUME. I have an—

Mr. HIGGINS. I am going to reclaim my time.

Chairman COMER. And you have—you have time left, Mr. Higgins.



Mr. MFUME. I have an inquiry of the Chair.

Mr. Chairman, we disagree on a lot of issues in this Committee a lot of times, but we always ought to look and put a stop sign in front of ourselves when we start assailing, by name, the personal integrity of any witness. I mentioned this a few weeks ago with Mr. Fauci. It continues to happen.

I want to make sure I am on the record so that members of the Committee on both sides of the aisle will at least respect the personal integrity of a witness before this Committee.

Chairman COMER. The Chair recognizes Mr. Higgins for his final few seconds.

Mr. HIGGINS. Mr. Chairman, this is the Oversight Committee. This is where government is forced to sit in front of Congress and be held accountable for their actions.

Mr. RASKIN. Mr. Chairman,——

Mr. HIGGINS. If that is——

Mr. RASKIN. The gentleman's time, is it not——

[Crosstalk.]

Mr. HIGGINS [continuing]. His personal integrity, that is not my problem.

Mr. RASKIN. Mr. Chairman——

Mr. MFUME. But it is not the McCarthy era.

Chairman COMER. The gentleman yields back.

Mr. MFUME. It is not the McCarthy committee.

Chairman COMER. Order.

The Chair now recognizes Ms. Norton from Washington, DC.

Ms. NORTON. Administrator Regan, thank you for being here today.

Climate change and pollution are among the most urgent crises of our time. Addressing them requires real action and innovative solutions.

The Biden-Harris Administration and Democrats in Congress took real action and delivered innovative solutions when we passed the Bipartisan Infrastructure Law and Inflation Reduction Act.

As a result, we are making historic investments in our communities to fight climate change and protect our environment and public health, including more than \$50 billion for EPA to strengthen our Nation's water infrastructure after decades of underinvestment.

The District of Columbia is benefiting from billions of dollars in funding, much of which will go toward replacing toxic lead pipes. Removing these dangerous pipes will make our drinking water safer, prevent health crises, and protect children from lead poisoning that can lead to lifelong harm.

Administrator Regan, why is investing in our water infrastructure an urgent priority for the Administration?

Mr. REGAN. Well, thank you for that question, Congresswoman.

And it is vital for public health and for our economy. Our Nation's water infrastructure is crumbling, which will have an impact on our global competitiveness.

But, more importantly, I have met with so many mothers whose children are lead-poisoned, and we are seeing lead-poisoned children all over this country. And that is why the President and Vice President have prioritized removing 100 percent of our lead pipes.

I am happy to say that D.C. will receive more than \$28 million to reduce—or replace their lead pipes in our most recent funding announcement this May.

But it is vitally important that every single person in this country has access to clean drinking water—clean, affordable drinking water.

Ms. NORTON. Administrator Regan, the Bipartisan Infrastructure Law also provided D.C. with much-needed funding to help with ongoing brownfields cleanup projects and to replace antiquated, diesel-fueled buses with modern, battery-electric buses.

D.C. is also using Pollution Prevention Grants which were robustly funded under the law to support a range of projects, including those aimed at improving public health and the environment in D.C.'s disadvantaged communities.

The Inflation Reduction Act, meanwhile, has provided D.C. with millions in grant funding focused on pollution reduction and creating a carbon neutrality plan for D.C.

We are seeing important projects like these not only in the District of Columbia but throughout the country.

Administrator Regan, what are some other success stories of the Administration's historic investments in protecting our environment?

Mr. REGAN. Well, we have quite a few. And I would say, when we think about Washington, DC, and we look at the success of our brownfields program, we are revitalizing blighted communities and turning these communities into economic centers but also reducing the pollution to many communities, which increases the tax base, increases the healthiness of communities.

You mentioned electric school buses. We have issued electric school buses in Washington, DC. We have also issued about \$62.5 million to expand the benefits of solar energy to lower-income communities in the District as well.

We are looking at a combination of infusing new technologies that will make the city more competitive while cleaning up pollution and making citizens healthier. I call that a huge success, and we are seeing that all over the country.

Ms. NORTON. Well, I do too.

Looking at all these important environmental projects, who would be left behind—who would be left behind if we choose nothing? What would the consequences be of inaction?

Mr. REGAN. Well, you know, who would be left behind are the least amongst us, our low-income communities. Disproportionately hit would be our Black and Brown and Tribal communities. Most of these communities are not the communities that have generated the pollution or used the energy but are on the receiving end of the brunt of the storms or the pollution.

And so, it is imperative that we take a look at ensuring that every single person in this country has clean air to breathe, clean water to drink, and that we engage with our communities to invest in solutions that they have had for decades. We cannot afford, as a country, to leave anyone behind.

Chairman COMER. The Chair now recognizes Mr. Gosar from Arizona.

Mr. GOSAR. Thank you very much.

Administrator Regan, there has been a big push in this Congress to expand the RECA, the Radiation Exposure Compensation Act, in areas that are far away—very far away from the original testing sites, which were in Nevada. In fact, there was 1,054 detonations in Nevada, which comprises—which composes almost 95 percent of all those exposures. And yet, when we had RECA, there was an administrative error in which southeastern Nevada, northwestern Arizona were excluded from this aspect.

Now, we started investigating this. And I have been doing this bill for forever, since 2010, because—before it was even cool to talk about.

One of the things that it seems we can argue about should we expand RECA is to St. Louis, Missouri. Very important here. However, I take an acute interest in the existing Superfunds on the EPA's National Priorities List that cover radiation in this area. Let us look at these.

One Superfund site, the St. Louis Airport/Hazelwood Interim Storage/Futura Coatings Company site, was listed in October 1989 and consists of three areas used for the storing of radioactive waste from uranium processing in St. Louis.

Another, the Westlake Landfill site, was listed in August 1990 and covers a site where 43 tons of uranium ore processing residues in soil were disposed of in 1973.

Here are my questions. These Superfunds are supposed to contain and deal with the effects of this radiation, right? Do you believe your agency is effectively addressing the issue of radiation exposure in the St. Louis area?

Mr. REGAN. I do. I do believe that it is—as you have mentioned, a tough topic and hard to get your arms wrapped around. I think that we are. And I think that the combinations of cleanups and closures that we are offering do provide adequate protection for surrounding communities.

Mr. GOSAR. OK.

So, then, why is there a reason to expand RECA to this area? It does not make any sense to me, because RECA was developed for the exposure of above-ground bombing that the Federal Government took acknowledgment from.

So, why do we have to expand RECA? I know these people need some help, but why would Superfunds not follow that up?

Mr. REGAN. Well, this is a specific issue that maybe we should discuss, because I know that, when these sites or expansions occur, that typically means more Federal dollars come in to help with the cleanup if there is a different use for the sites—

Mr. GOSAR. So, I agree with you. But my point is, is, we spent a ton of money on these Super sites. Why are they not addressing these exposures to radiation from this point forward, instead of RECA?

I mean, I have got people who have waited now—their exposure has now been almost 70 years, and they have been excluded because of an administrative error from what Congress intended to the bill writing. It had nothing to do with us being here.

And I have been pushed off, pushed off. We tried to do this in the NDAA, we tried to do this all the way around. I have been told

by bureaucrats, "You know what? Tough luck. You have to have more money. We have to get it included."

And now all of a sudden, I find that these poor people, these Native Americans in northwestern Arizona, these southeastern Nevada folks, do not have any compensation possibilities. I have got some problems with that.

You know, I want this money to be appropriate——

Mr. REGAN. Yes.

Mr. GOSAR [continuing]. Because you can talk all about the Administration and rules and regulations, but the other part of wasting money is, is it the contractor who is not doing their job? Is it the supervision of the Army Corps of Engineers is not adequate? I do not know. But we have to have some answers here. Because we have got one more chance at this. The rest of these people are not going to be around.

And it is meager, folks. You have to show—prove that you lived in this area for an amount of time just to be able to get \$35,000. I find this a radical injustice, in that regard.

And so, I would like—I have got a lot of other things, the PM10's and all that stuff, but this is very poignant to me.

Mr. REGAN. OK.

Mr. GOSAR. So, I would love to have your full force pushing this right away. Because we have not renewed the RECA standards, and we need to, but I need to understand why all of a sudden we are getting this big push from Missouri from these Superfund aspects to be included in that. I want people to get their due——

Mr. REGAN. Yes.

Mr. GOSAR [continuing]. Due diligence. But why does RECA have to be this part? Why can the Superfunds not take that? Could I get that answer from you?

Mr. REGAN. Yes. You have my personal commitment that we will work on this and see what we can do.

Mr. GOSAR. Thank you.

My last little question was: You know, we have all these pharmaceuticals in our water supply. The gentlelady from D.C. talked about it. What—and I know you do not really have the jurisdiction; the FDA really does.

But how clean is our water with regards to the disposal of these pharmaceuticals, most of them going down into our water supply? Could you address that real quickly?

Mr. REGAN. Yes. At—presently, in my conversations with FDA and other health agencies, our water is clean. Our water is clean and drinkable.

And when it is not, we advise citizens to follow boil-water advisories or any other advisories that a local entity might——

Mr. GOSAR. Can I interrupt you right there?

But steroidal manufacturing of the pharmaceuticals bypasses our normal-type prospectus, if I understand this right. I am a dentist by profession—or was. So, how can you assure me that those compounds are not still in the water?

Chairman COMER. The gentleman's time has expired, but please answer the——

Mr. REGAN. Yes.

Chairman COMER [continuing]. Very important question.

Mr. REGAN. I think what we do is we match our expertise with the expertise of FDA and, from a regulatory standpoint, try to ensure that a wastewater treatment facility, a drinking water facility, has the best technology. And that is where we run those tests.

I think, to your point, this is more of an FDA-EPA-combined answer, and we can get our staffs together to work on getting a better answer for you.

Mr. GOSAR. If you would, please. Thank you.

Chairman COMER. The Chair now recognizes Mr. Lynch from Massachusetts.

Mr. LYNCH. Thank you, Mr. Chairman, and to the Ranking Member.

First of all, I want to say thank you, Administrator Regan.

We have been working in my district—I represent a coastal area that goes from the North End neighborhood of Boston all the way down to Hingham. So, we are right on the coast. And we have been working with your regional people in my area on seawalls because of the—even just during my lifetime, we have seen incredible sea-level rise along that coast in Massachusetts. And I am sure there are other communities that have benefited from your good work as well.

And also, we had tremendous PFAS issues. We have got an older area, formerly heavily industrial. So, the EPA in our region has been extremely helpful in helping us put in filtration systems that now allow people to turn on their taps and get clean water instead of having to have the town administration provide free bottled water, which was happening for quite a while.

I want to talk to you about the Chevron case, the Chevron decision.

So, just to be clear, up until last week, when Congress passed legislation that might have been general in nature and had some ambiguity to it—which is basically every single bill that we pass, because we cannot address every eventuality—in the past, the courts were required to defer to agency expertise as long as the agency interpretation was reasonable.

In other words, you know, it is not just the EPA. On pharmaceutical development, you know, the FDA interpretations of statutes that they are directed by held sway as long as it was reasonable.

Same thing with labor laws. You know, the labor laws are meant to protect workers. And as long as the Department of Labor made interpretations that were consistent with that mission, it was accepted by the court, and they afforded the deference.

The SEC, the mission was to protect investors. And as long as the SEC was making interpretations of ambiguous sections of the law that was consistent with and reasonable within the contours of the four corners of that law, that deference was afforded to the agency.

Now, that is over. That is over.

And so, I am just wondering—I mean, I am sure you have had a chance to look at this with counsel. What do you think the impacts are going to be for the EPA and your responsibility, your mission, to make sure that we have clean air, clean water, and the sundry other missions that you must follow?

Mr. REGAN. Well, as you can imagine, I and we are deeply disappointed. This hits EPA extremely hard.

We have world-class experts who for decades have been honing their skills to work on behalf of the American people and render judgment on policies and regulations that would be most protective of everyone in this country.

And so, we will gather ourselves and continue to leverage that expertise in every way we can, because, again, our charge is to ensure that every single person in this country, all of our children, have access to clean drinking water and clean air and healthy lands.

Mr. LYNCH. Well, thank you.

I also want to just thank you again. We, in this Congress, have passed legislation to provide for zero-emission vehicles, not only private vehicles but—and a framework that would allow people to, you know, charge those vehicles—but also we have looked at the United States Postal Service and the 237,000 vehicles that they use each and every day, and we are in the process of converting many of our older vehicles to electric vehicles. And I just want to thank you and the EPA for your cooperation on that measure. And it cannot happen soon enough.

Mr. Chairman, the previous Republican member consumed an additional minute, and I would ask to have access to that extra 60 seconds, if I might.

Chairman COMER. We have been going back and forth. I have been keeping up with it. I thought we were about even because Mr. Raskin went over a minute. But if you need a—if you have a good question to ask—

Mr. LYNCH. Well, I would like to yield the last minute to the Ranking Member.

Mr. RASKIN. OK.

I will find some other time to get in, Mr. Chairman.

Chairman COMER. OK.

Mr. RASKIN. I will yield back. And thank you.

And I thank the gentleman from Massachusetts.

Chairman COMER. The Chair recognizes Mr. Sessions from Texas for 5 minutes.

Mr. SESSIONS. Mr. Chairman, thank you very much.

Administrator, welcome.

There is already, this morning, some disagreement about the questions that we are asking you. I have heard you very clearly talk about the EPA under your leadership as “cost-effective solutions,” “pragmatic,” “America needs a strong EPA,” “scientific-based answers,” “fairness.”

So, I would like to engage in a dialog with you, if I can, as opposed to a longwinded opportunity here.

Please tell me, as we talk about formaldehyde, are you aware that the European Union occupational exposure limit was just codified at 300 parts per billion?

Mr. REGAN. Yes.

Mr. SESSIONS. You were. Thank you.

Are you aware that the air outside this building and the air in this room is naturally occurring with formaldehyde?

Mr. REGAN. I cannot speak to the—

Mr. SESSIONS. Well, you are the head of the EPA. If you do not know that formaldehyde is everywhere, as we breathe it not only in this building but outside—so I will tell you, that answer is “yes.”

Let it be noted, the head of the EPA did not understand that formaldehyde is a naturally occurring substance.

Are you aware that the Human Studies Review Board, known as HSRB, within EPA opposed and had problems with the recommendation of 11 parts per billion that is now being codified into your rules and regulations? Were you aware that they had problems with 11 parts per billion?

Mr. REGAN. I was not aware.

Mr. SESSIONS. Were not aware.

Are you, the gentleman, aware that the permissible parts per billion is 750 parts per billion under OSHA for exposure limit for formaldehyde?

Mr. REGAN. Congressman Sessions, for the types of questions you are asking, we have—

Mr. SESSIONS. They are very direct.

Mr. REGAN [continuing]. Experts that have—

Mr. SESSIONS. You are the head of this organization, and you have proposed taking to 11 parts per billion.

You showed up here and you talk about “fairness,” “cost-effective solutions,” “pragmatic,” “scientific-based,” and yet your own—within your own boards that provide you with data and information, they have said 11 parts per billion is well out of line and cannot even be measured.

And yet our friends—your friends that are up here on this Committee, as we are, are asking you what are not tough questions; they are really pragmatic, they are science-based, they are cost-effective things—ways to look at things.

And you are standing behind changing some 20 of these different chemicals and putting them to standards that would be, once again, Europe has, their occupational exposure limit is 300 parts per billion. America’s, at this time, under OSHA, is 750 parts per billion. You did not know that it is regularly occurring all around, in every room, outside. And yet your own committee within your department, the Human Studies Review Board, said, please do not do this, we have problems. And yet you have put your stamp on 11 parts per billion that is not even able to be calculated.

And yet, if you look at 11 to 300 to 750, you chose to show up here and to say to this Committee and to plead with us you have to save every single life, and yet it cannot even be measured.

You talk about fairness, you talk about cost-effectiveness, you talk about being pragmatic, you talk about science-based answers. And the head of EPA showed up today and said he did not even know that formaldehyde was regularly naturally occurring, at levels well above 11 parts per billion.

Mr. Chairman, this is why we seemingly have problems and why my side—yes, we are Republicans, and we are not these crazy-eyed people that you have heard about today. We are saying, we want you to be pragmatic, we want you to be fair. But you cannot even justify 11 parts per billion, because it cannot even be measured. There are no scientific measures to measure that on a regularly re-occurring basis. And you have put an onus on industry.

Formaldehyde is used in plastics. It is used in cars. It is used in national security. It is used all over the United States, what we would call the free-enterprise system, but it is capitalism.

Ms. MACE. [Presiding.] Thank you.

Mr. SESSIONS. And it is a cost-effective—

Ms. MACE. Thank you, Mr. Sessions.

Mr. SESSIONS [continuing]. Way to look at things.

Ms. MACE. You are out of time. Thank you.

Mr. SESSIONS. I yield back my time.

Sir, we do want to talk with you—

Ms. MACE. All right.

I would now like to recognize Congresswoman Ocasio-Cortez for 5 minutes.

Ms. OCASIO-CORTEZ. Thank you. Thank you very much, Madam Chairwoman.

We have heard a lot today. I would like to bring this conversation a little bit down to Earth, about—and make it more about the people that we are here to serve.

I am the Congresswoman for the Bronx and Queens. I represent a community that has some of the highest childhood asthma rates in the United States.

And when we hear this conversation about how regulations threaten economic prosperity and—I jotted it down earlier because I could not even believe that I heard it—that economic prosperity, quote, “is the number-one driver of clean air and clean water,” as though our rivers were somehow—I mean, our rivers and forests were clean and unpolluted before a single factory was constructed in this country. That is the state of nature. I want us to be clear about that.

Now, when we hear people use this term “economic prosperity,” I want folks to know at home, what that is a shadow screen for is a term otherwise known as “profit”—Wall Street profit, very often.

And, Administrator Regan, you have been accused of sabotaging, here, the economic prosperity of this country for enforcing and introducing regulations about chemicals that this Committee itself has investigated, such as PFAS.

I would like for us to dig into that a little bit.

PFAS is a chemical byproduct of—and it is a chemical that is in almost everything—Teflon pans, workout gear, fire extinguisher foam.

What are some of the health consequences that we have seen as a result of elevated levels of PFAS in everyday—for everyday Americans?

Mr. REGAN. Well, you know, they range from various types of cancers, death.

Ms. OCASIO-CORTEZ. Uh-huh.

Mr. REGAN. These carcinogenic elements are wreaking havoc on communities all across the country.

Ms. OCASIO-CORTEZ. We have had people from PFAS-affected—especially PFAS-affected communities that have had fertility issues. Is that correct?

Mr. REGAN. Yes.

Ms. OCASIO-CORTEZ. Testicular cancer? Is—

Mr. REGAN. Yes.



Ms. OCASIO-CORTEZ [continuing]. That correct? Developmental delays in children? Is that consistent with what you have seen?

Mr. REGAN. Yes.

Ms. OCASIO-CORTEZ. Thyroid issues? Increased risk of cancer? Correct?

Mr. REGAN. Yes.

Ms. OCASIO-CORTEZ. And that—those people, those kids, those parents who are struggling to conceive now—that is who we respond to. That is who we answer to.

Correct, Administrator Regan?

Mr. REGAN. Absolutely.

Ms. OCASIO-CORTEZ. The American people.

Now, I want to name something. This is not just economic prosperity. There are people and organizations and companies responsible for this.

DuPont and 3M are two of the largest corporations that were responsible for PFAS dumping in the United States. Is that correct?

Mr. REGAN. Yes.

Ms. OCASIO-CORTEZ. Did they know that these chemicals were potentially toxic? Is that correct?

Mr. REGAN. We believe they did.

Ms. OCASIO-CORTEZ. And yet there are members here of this Committee that want to defend the quote/unquote, “economic right” for a company to poison its people—the American people.

Now, when we talk about economic prosperity, if you are a kid in the South Bronx, if you are a mom in rural Pennsylvania near a PFAS dumping site, who comes ahead when you get cancer and have a medical bill to pay? Who comes out ahead from that PFAS dumping? The CEO of DuPont or that mom?

So, when we talk about the bills and the prosperity that gets made from here and who has to pay that, we need to understand a very simple economic concept called “externalities.” Externalities. The costs of pollution, the costs of poisoning that are not factored into the profit margin of a corporation that is actually wreaking havoc on this planet.

And when we talk about issues like climate change, it is, at its core, an issue of externalities. Because ExxonMobil and all of these oil companies can afford to burn this planet to a crisp, because it makes them a pile of money.

Now, Administrator Regan, I want to—I want to thank you, because in the character attacks that you have experienced in this hearing, I know that you have spent your entire time and your entire Federal service—

Ms. MACE. Thank you. Your time is up—I—

Ms. OCASIO-CORTEZ [continuing]. Protecting families—

Ms. MACE [continuing]. Appreciate it—this morning.

Ms. OCASIO-CORTEZ [continuing]. From being poisoned.

Ms. MACE. Thank you.

Ms. OCASIO-CORTEZ [continuing]. And I want to thank you for that.

Mr. REGAN. Thank you.

Ms. MACE. All right.

I would now like to recognize myself for 5 minutes.

Mr. Regan, as part of the so-called Inflation Reduction Act, the EPA established the Office of Environmental Justice and External Civil Rights, which now manages \$3 billion for environmental and climate justice to fund community-based NGOs.

As part of the allocation, \$600 million is devoted to the Environmental Justice Thriving Communities Grantmaking Program, which has shown serious signs of waste, fraud, and abuse. More alarmingly, some of this money has been designated for groups opposed to the interests of the United States and her allies.

So, my questions today, Mr. Regan, are “yes” or “no,” very simply “yes” or “no.”

Administrator Regan, environmental justice grantees have partners and affiliates who also receive funds from the EPA. Are any of these groups or affiliates who receive this money anti-American, yes or no?

Mr. REGAN. Not that I am aware of.

Ms. MACE. Are any of these groups who receive this money anti-Semitic, yes or no?

Mr. REGAN. Not that I am aware of.

Ms. MACE. Are any of these groups explicitly anti-Israel?

Mr. REGAN. You are talking about that have received money?

Ms. MACE. That are on the list to receive money, correct. Yes or no, are any of these groups—

Mr. REGAN. None of these—

Ms. MACE [continuing]. Explicitly anti-Israel? Do they hate Jews?

Mr. REGAN. None of these groups have—

Ms. MACE. OK.

Are any of these groups opposed to police and law enforcement, yes or no?

Mr. REGAN. I think we have to establish the point that none of these—

Ms. MACE. The question is “yes” or “no.” Are any of these groups opposed to police and law enforcement, yes or no?

Mr. REGAN. None of the groups have received money.

Ms. MACE. That is not the question. Are any of these groups who are allotted to get money from this fund anti-police, yes or no?

Mr. REGAN. I am not quite sure—

Ms. MACE. You know exactly what I am talking about.

Are you familiar with the group called Climate Justice Alliance, yes or no?

Mr. REGAN. Yes.

Ms. MACE. OK. I was surprised to learn that \$50 million has been designated for Climate Justice Alliance, a group which explicitly publishes a “Free Palestine” section on its website.

On the website, there are dozens of anti-Semitic and alarming images designed to be printed and used in the violent pro-Hamas protests we have seen across the country. Here are a few of them this morning.

This first image includes a slogan that is widely recognized as a call to eradicate the state of Israel.

Is this the official position of the Biden EPA, yes or no?

Mr. REGAN. Is it the what?

Ms. MACE. Official position of Biden’s EPA. Yes or no?

Mr. REGAN. That is not our product.

Ms. MACE. Does this sign protect the environment, yes or no?

Mr. REGAN. That is not our product.

Ms. MACE. This group, where this image came from, is designated to receive \$50 million.

Mr. REGAN. Has that group received any money?

Ms. MACE. So, this sign says, "Freedom for Palestine." What does it say at the bottom? "From the river to the sea, Palestine will be free."

Should taxpayers pay for this kind of thing, yes or no?

Mr. REGAN. Well, I think you are misrepresenting the facts.

Ms. MACE. We are not misrepresenting.

My second image that I am going to show you today—

Mr. REGAN. You are misrepresenting the facts.

Ms. MACE [continuing]. This image calls—I am speaking, and I am going to reclaim my time.

Mr. REGAN. Yes. You are misrepresenting the facts.

Ms. MACE. This image calls to defund the police and accuses the United States of violence.

Is this the official position of Biden's EPA, yes or no?

Mr. REGAN. No. That is a product—

Ms. MACE. OK. Does—

Mr. REGAN [continuing]. Of a third party.

Ms. MACE [continuing]. This sign protect the environment, yes or no?

Mr. REGAN. I do not know what that sign—

Ms. MACE. The group that produces this sign is allotted to—is allotted to get \$50 million from U.S. taxpayers.

The next image—

Mr. REGAN. What is your definition of "allotted"?

Ms. MACE. The next image I am going to show you, I would like you to read this poster from your seat. Can you tell me what this says?

Mr. REGAN. I think you can read it for yourself.

Ms. MACE. I am asking you to read the poster. What does it say?

Mr. REGAN. I think you can read it for yourself. I abhor bigotry—

Ms. MACE. What does it say? This image says—

Mr. REGAN. I abhor bigotry, and I will not repeat—

Ms. MACE [continuing]. "Abolish prisons everywhere." This image says, "Free Palestine." This image says, "Stop Cop City."

This group that produced this poster is allotted to receive \$50 million from U.S. taxpayers.

Mr. REGAN. That group—

Ms. MACE. This is disgusting.

Mr. REGAN [continuing]. Has not received one dime from EPA.

Ms. MACE. This image, this next image, adds an anti-Semitic message, and it calls for defunding the police. This is particularly special.

Is this the position, the official position, of Biden's EPA, yes or no?

Mr. REGAN. That is not—they have not received one dime from the EPA.

Ms. MACE. Does this sign protect the environment?

They are slated to receive \$50 million—

Mr. REGAN. They have not—

Ms. MACE [continuing]. From taxpayers.

Mr. REGAN [continuing]. Received one dime from EPA.

Ms. MACE. So, you are saying—on this next image—this is probably the left's favorite. The quote on this image is from a convicted murderer of a police officer that is still at large and wanted by the FBI.

Does the Biden EPA support this position, yes or no?

Mr. REGAN. These hypotheticals—

Ms. MACE. So, today—

Mr. REGAN [continuing]. Have nothing to do with EPA.

Ms. MACE [continuing]. Our witness cannot even answer the questions.

\$50 million was going to go to this organization vis-&-vis U.S. taxpayers.

So, you are going to tell me today—are you promising that this group will not receive a single dime, yes or no?

Mr. REGAN. None of these groups that you have paraded up here have received one dime from EPA.

Ms. MACE. Will you promise to ensure that they will not receive a single taxpayer dollar? This particular group is slated to get \$50 million. Will—

Mr. REGAN. Listen, first of all—

Ms. MACE [continuing]. You promise me today that they will get zero, yes or no?

Mr. REGAN. First of all, half the things you have put up there are offensive, right?

Ms. MACE. They are offensive. And—

Mr. REGAN. OK.

Ms. MACE [continuing]. Like I said—

Mr. REGAN. And second of all—

Ms. MACE [continuing]. It is a fact this group is going to get—is slated to get \$50 million from U.S. taxpayers.

Mr. REGAN. None of these groups—

Ms. MACE. So, our witness today—

Mr. RASKIN. Madam Chair—

Ms. MACE [continuing]. Let it show, cannot even answer the questions.

Mr. RASKIN. Madam Chair, will you just allow him to answer you? I think it would be fair to allow him to answer you.

Mr. REGAN. None of these—

Ms. MACE. He has not answered a single question.

Mr. REGAN [continuing]. Groups have gotten one dime from EPA, for the record.

Ms. MACE. Will you promise today that they will receive zero dollars?

Mr. REGAN. None of these groups have gotten one dime from EPA.

Ms. TLAI. [Inaudible.]

Ms. MACE. I am sitting in the chair. You are not.

Ms. TLAI. [Inaudible.]

Ms. MACE. So, thank you.

And I yield back.

All right. I will now yield to Ms. Brown from Ohio.

Ms. BROWN. Mr. Regan, I would like to yield to you as much time as you would like to consume to respond to the allegations that were hurled upon you.

Mr. REGAN. Well, I appreciate that, because I think it is a “gotcha” game, to put posters and statements that many of us may not agree with, see for the first time, and then accuse the agency of supporting something that is not true.

None of the groups that were presented there have received one dime from EPA. People have applied for resources. We are going through a very thorough evaluation, and we have a process to determine who should and should not receive Federal funding.

Those are the facts.

Ms. BROWN. Thank you very much.

Welcome to Oversight. And it is great to see you again.

Mr. REGAN. Good to see you too.

Ms. BROWN. I want to begin by thanking you for the Environmental Protection Agency’s diligent work in my district, northeast Ohio, where, as the Ranking Member pointed out, is just one example of how the Cuyahoga River was historically polluted—one of the most polluted bodies of water due to the amount of industrial waste dumped into it. As you know, Cuyahoga could not sustain any life at one point; caught fire more than a dozen times. But thanks to the hard work of the EPA and the Cleveland community, this is no longer reality.

I am proud to have cast one of my very first votes in Congress in support of President Biden’s and Vice President Harris’s and Democrats-led Bipartisan Infrastructure Law to continue to clean up our precious water resources which are critical to Cleveland, northeast Ohio, and the country.

EPA’s commitment to restoring the Cuyahoga River area economically and environmentally shows how this Administration is prioritizing environmental justice.

So, Administrator Regan, can you explain what more needs to be done to clean up and support the Cuyahoga River and surrounding areas both environmentally and for the people who live there?

Mr. REGAN. Well, thank you for the question. And, also, thank you for hosting me and Secretary Fudge in Cleveland a while back.

Listen, I think since the Great Lakes Initiative started in 2010, significant progress has been made. But under your leadership and the leadership of your colleagues partnering with President Biden, we anticipate investing approximately \$100 million of EPA bill funds to support and continue the great work that you all are leading.

Construction resulting from this funding will start at the end of this year—or this year, and it will remove the largest impediment to water quality remaining in the Cuyahoga River. So, that will drive regional economic development, it will restore important ecosystems, and it will turn this precious body of water back to the natural state that it should be.

So, thank you for your advocacy there.

Ms. BROWN. Thank you so much.

On a related point, my district has long faced challenges in accessing healthy and safe drinking water. According to Cleveland Clinic, lead-poisoning rates in the city of Cleveland are four

times—four times—the national average. This is preventable, and we must overcome such a significant disparity.

That is why the Infrastructure Law's investments have been critical in addressing this public health emergency. These funds are used to remove lead pipes leading to homes—to our homes and improve the access to safe drinking water.

This May, the Biden-Harris Administration announced an additional \$184 million in Bipartisan Infrastructure Law funds to support safe drinking water and replace existing lead service lines in Ohio.

So, Administrator Regan, can you share the impact of these investments on improving access to clean drinking water, in particular for low-income families and in the Black community?

Mr. REGAN. You know, these investments are transformational and life-changing. I have met, you have met, we have met with mothers whose children are lead-poisoned, whose families have been poisoned by lead or have not had a—a lack of access to clean drinking water.

These investments will: (1) Create jobs for those who are pulling these lead pipes out; (2) Drinking fresh clean water, for these children, that is not lead-poisoned, will give them a competitive edge as they pursue their education; (3) The economic vitality and opportunities for these communities that are now lead-free are endless.

Black and Brown communities are disproportionately impacted by these pollutants, have a lack of economic investment. So, we are doing—this is a win-win. We are infusing capital, we are creating jobs, we are creating economic opportunities, and, most importantly, our children and our families and our grandparents will be drinking clean, affordable, safe drinking water.

Ms. BROWN. Thank you.

Under the Biden-Harris Administration, the restored EPA—

Ms. MACE. Time is up. Five minutes is up. I apologize.

Ms. BROWN. Requesting equal time. You went over your time, Madam Chair. Just requesting equal time, please, and thank you.

Ms. MACE. We are at 20 seconds over. I did not—

Ms. BROWN. The attempts on—

Ms. MACE [continuing]. Go that far over.

Ms. BROWN [continuing]. The other side of the aisle—

Ms. MACE. You have 10 seconds.

Ms. BROWN [continuing]. To undercut, defund, and dismantle the EPA are deeply dangerous. Our environment and our health depend—

Ms. MACE. Order. I am going to call—

Ms. BROWN [continuing]. On a fully funded, functional—

[Crosstalk.]

Ms. BROWN [continuing]. EPA.

Ms. MACE. I would like to call on—

Ms. BROWN. Thank you, Madam Chair.

Ms. MACE [continuing]. Mr. Perry from Pennsylvania.

Mr. PERRY. Thank you, Madam Chair.

Just out of curiosity, since one of my colleagues from the other side of the aisle brought it up, I do wonder if the then-senior-Senator from Delaware, now the President of the United States, ever

challenged DuPont's production and prolific distribution of PFAS and PFOA. Just curious.

But I need to talk to you, Administrator—welcome—about Pennsylvania.

My bosses, the people that I represent, complain to me nearly daily about their electricity prices. And I am sure you know that grid operators around the country are sounding the alarm about the potential disruptions—blackouts, brownouts—due to regulations, particularly the “Clean Power Plan 2.0” rule.

As a matter of fact, the PJM Interconnect, the largest multi-state grid operator, which includes the Commonwealth of Pennsylvania, stated that in the very years when we are projecting significant increases in the demand for electricity, the final rule will work to drive premature retirement of traditional units that provide essential reliable services and dissuade new gas resources from coming online.

I am just curious, how does the EPA factor in the cost to the people that I represent that cannot afford their electricity bills or the grid operators who are saying, do not do this, we cannot sustain this? How does the EPA factor that into the decision to just move forward and say, kind of, damn the torpedoes?

Mr. REGAN. Well, I think there is a process and maybe a difference in some of these statements.

When the rule was proposed, we engaged in a lengthy round of conversations. I even—Congressman Bill Johnson, who was our Subcommittee Chair at the time, hosted a number of meetings with me and industry and the like, and grid operators. And so, we have had robust conversations.

I think PJM has made a statement that acknowledges that numerous adjustments were made in between the proposal and the final that really began to help address some of their concerns about reliability.

Mr. PERRY. So, are their claims about the reliability and the inability to provide power and the fact that it will result in blackouts and brownouts—is that—is that not true? Are they—

Mr. REGAN. We believe that we have resolved all anxiety about—

Mr. PERRY. But they are still making the statement.

And what about ratepayers? What about people paying the bill? Pennsylvania, it is hot right now in the summertime.

Mr. REGAN. Sure.

Mr. PERRY. It is cold in the wintertime.

Mr. REGAN. Yes.

Mr. PERRY. They cannot afford their bills now. The bills are going to go up, right? It is essentially supply and demand. There is going to be a great demand but less supply.

Where does their need factor into your decision-making?

Mr. REGAN. It factors in heavily.

And as I have conversed with numerous utility executives and those that manage, they are going to be looking at a suite of technology to provide electricity. So, our estimates are a less than 1-percent increase in price over the next 10 to 15 years because of—

Mr. PERRY. OK. So, your estimates are less than a 1-percent increase in price over 10 to 15 years.

Mr. REGAN. Yes.

Mr. PERRY. Can you attest to that and promise that it will not go up more than 1 percent in the next 15 years?

Mr. REGAN. What we can do is we can provide you all the data—

Mr. PERRY. No, no, no, no. Sir, you are moving with the rule. It is being fought in the courts.

Mr. REGAN. Sure.

Mr. PERRY. But the people that I work for, my bosses that cannot afford their groceries, cannot afford gasoline, cannot afford their daycare, cannot afford electricity, you are saying that you have gotten their input and this is not going to impact them, essentially, more than 1 percent over the next 15 years.

I want you to promise me right now, because I have got to go face them. I have to face them.

Mr. REGAN. Yes. I think you can tell—

Mr. PERRY. That—

Mr. REGAN. I think you can assure them that the EPA Administrator said that his experts, the experts at FERC, DOE, and EPA, all agree on the assessments that have been made on reliability and cost.

Mr. PERRY. OK.

Mr. REGAN. Three agencies.

Mr. PERRY. So, it is not going to go up more than one percent. And if it does, then what? Then what do you do? What do I—do you quit your job? Do you pay them the difference? What happens then?

Mr. REGAN. Well, you know, the way these rules are designed, they are designed and each state has a state implementation plan. So, it is not like—

Mr. PERRY. So, we are going to pass the buck, it is not your problem—

Mr. REGAN. No—no—

Mr. PERRY [continuing]. And somehow it was the states that did it to them.

Mr. REGAN. States have flexibilities in terms of how they—they are delegated programs. So, we give the states the autonomy. They design special state implementation programs. And they are ensuring that the individuality of that state is met with that planning. The planning for North Carolina is different from the plan in Nevada.

Mr. PERRY. And I appreciate that. And God bless the people from North Carolina; I do not want them to have to pay any more either. But I do not represent them. I have got to face the people of south-central Pennsylvania that cannot afford their bills right now.

And you are telling me it is not going to go up more than 1 percent over the next 15 years, but if it does, somehow, it is the state's fault—

Ms. MACE. Thank you, Mr. Perry.

Mr. PERRY [continuing]. And it is not yours.

Mr. REGAN. The states have flexibilities to address—

Ms. MACE. Our time is up. Five minutes is up.



Mr. PERRY. I yield.

Ms. MACE. I would like to yield 5 minutes to Mr. Garcia from California.

Mr. GARCIA. Thank you.

Thank you, Administrator, for being here. I appreciate your service. You are obviously helping to implement the biggest climate bill in history, which we passed under President Biden.

My district includes the Port of Long Beach. I am the former mayor of Long Beach. We know that the port itself—you were just in the Port of Los Angeles, I think, our neighbor—huge economic engine for the country.

We are fighting to electrify the Port of Long Beach right now under the \$3-billion EPA Clean Ports Program. I wrote to you last week; you responded. We are very grateful to your response and the team. And so, we are excited about that opportunity.

But I want to turn also—on this issue, broader issue, of environmental justice, I want to just quickly highlight a case where polluters are getting a pass and residents in my community, the northern part of my district, are feeling the impact.

In Vernon, California, a small city in southeast Los Angeles, Exide Technologies spent decades recycling batteries and dumping lead and toxins into the air. This includes soil and water, which has now seeped through. Now, the company poisoned surrounding communities in southeast L.A., where people suffer from cancer, asthma, learning disabilities, and dangerous levels of lead in their blood.

Now, the Obama Administration forced Exide to make commitments to fix and fund the cleanup. But, in 2020, Trump's EPA and Department of Justice abandoned those responsibilities and approved a bankruptcy plan that let Exide essentially walk away from the cleanup.

This is not acceptable to me and certainly not to the communities that I represent.

Now, Administrator, one of my first acts when I came to Congress was to lead the call for a Federal Superfund designation, along with Senator Padilla. This will secure, of course, Federal funds to clean the site that is desperately needed to provide this community true justice.

I have been glad this process has moved forward, and, in fact, just recently, we passed a major milestone. Last week, the EPA site inspection report showed the site is eligible for a Superfund listing based on the levels of groundwater contamination.

So, I want to thank your team for partnering with us there. And I just want to formally ask you to, once again, just continue to commit to really push for this issue as we move forward to that Superfund designation.

Mr. REGAN. Absolutely. You have my commitment on that.

Mr. GARCIA. Thank you, sir.

Now, as we are talking about environmental justice, I want to just highlight that your agency is working every day to implement the biggest climate bill in history. And we are in a climate crisis; I think we all understand that.

But I also want to look at an alternative plan for your agency. Now, this is "Project 2025," which is Donald Trump's anti-environ-

mental agenda. And I want to just note some of the main features of “Project 2025.”

It includes shredding pollution regulations; gutting clean-energy programs; repealing the Inflation Reduction Act, President Biden’s climate law, which we know is landmark; and, of course, empowering corporate polluters.

Now, we know that Donald Trump’s “Project 2025” destroys the EPA. He will let corporations dump more toxins into our air and water like he did the last time he was President. We know that he will empower corporate polluters and fill the EPA with hand-picked extremists rather than actual climate experts, and he will destroy the progress that President Biden has fought for.

Now, he is promising to repeal the Inflation Reduction Act. And let us be clear: Repealing the bill does not just mean reversing the historic progress that we have made; it means threatening jobs and businesses all over the country. Over a thousand projects already are underway deploying hydrogen, hydropower, wind, batteries, solar energy, which will all make us more green and independent and really leading us to a greener future. That is also hundreds of thousands of jobs.

And we know why he is pushing this dangerous agenda. Donald Trump met with Big Oil executives to promise to carry out their policy agenda in exchange for \$1 billion in campaign contributions, which Oversight Democrats are actually investigating.

And if that was not enough, he promised he would pay back his Big Oil donors with tax cuts for the rich.

And, as we know, worst of all, his agenda will be enabled by an extremist Supreme Court that Donald Trump himself appointed.

Now, Administrator, I know you cannot address a candidate’s policy platform. I know that is not why you are here. So, instead, I want you to just please explain how important it is that the agency continues to implement the Inflation Reduction Act and the climate gains that we have already achieved.

Mr. REGAN. Well, listen, I will say this. One program in the Inflation Reduction Act is the Greenhouse Gas Reduction Fund. Congress allotted us \$27 billion. We designed a program in consultation with the financial sector, every aspect of the financial sector. We believe that we can pull hundreds of billions of dollars off the sidelines to make homes more energy-efficient, to build manufacturing capacity in this country, to create jobs.

It is important for me to say that these are not just happening in blue states; they are happening in red states. They are happening in Alabama, in Georgia, North Carolina, South Carolina.

And so, this really does prove that clean energy has a role in the new economy, and it is creating hundreds of thousands of jobs all across this country. But, more important, it is making us secure, because we are bringing the manufacturing back domestically.

Rolling back these types of provisions, eliminating career scientists at EPA, you know, it is just going to ruin the economy and it is going to ruin the progress that we are making.

Mr. GARCIA. Thank you very much.

I yield back.

Chairman COMER. [Presiding.] The gentleman yields back.

The Chair now recognizes Mr. Biggs from Arizona.

Mr. BIGGS. Thank you, Mr. Chairman.  
Thank you, Administrator, for being here.

Administrator Regan, the National Ambient Air Quality Standard Rule sets a standard based on airborne particulate matter. What are some of the sources of particulate matter?

Mr. REGAN. Many stationary sources, as well as mobile sources.

Mr. BIGGS. Right. And the stationary sources include energy production, industrial processes, agriculture activities, *et cetera*, right? And mobile, diesel-and gasoline-powered vehicles.

But you just mentioned anthropogenic, or manmade, particulate production. But there is also natural sources as well. And does EPA have a breakdown of emissions generated by source sector between—I am talking specifically between manmade versus naturally occurring?

Mr. REGAN. Yes.

Mr. BIGGS. And let us go over that. Here is what they break it down to: Energy production, industrial processes, mobile sources account for only 21 percent of total PM emissions. Ag accounts for 14 percent, dust for 16 percent, and fires account for 43 percent.

Does that sound right? I am reading from the National Emissions Inventory of May 2022. Does that sound right to you?

Mr. REGAN. I do not have that document in front of me, but it sounds in the ballpark.

Mr. BIGGS. OK.

So, the question is, as you are no doubt aware—I am from Arizona, so many areas in Arizona, including those in my district, are in desert ecosystems featuring new natural sources of emissions. The May 2022 EPA policy assessment actually—for Phoenix actually cites a 2011 dust storm as affecting particulates in Phoenix. We also have a drought that has been going on for 26 years. That contributes to wildfire risk. We have wildfires out there.

And so, my question for you ultimately becomes this. How do you propose that Arizona non-attainment areas, areas with significant naturally occurring background particulate matter, comply with the new standards that EPA has proposed?

Mr. REGAN. Well, I am proud to say that, because of consultation with Members like you and others—

Mr. BIGGS. By the way, just to clarify, not to interrupt—I am interrupting, but I do not mean to be rude about it.

Mr. REGAN. Yes.

Mr. BIGGS. You and I did not ever consult. But go ahead.

Mr. REGAN. Yes. But we have consulted with Members in Arizona and Nevada and places that you described. And this is why we have a very strong exceptional-events policy.

You know, monitoring technology is advanced enough to determine where the pollution comes from. And so, we do not want to penalize states where we see an exacerbation of PM 2.5 that comes from a wildfire or a dust storm or something that is not manmade, so we have procedures in place.

Ninety-nine percent of counties in this country are projected to meet the standard by 2032, and the reason that is, is because we do not count some of the things that you just laid out.

Mr. BIGGS. Well, I will just tell you that I would invite you to come out and live in Arizona for about 6 months in the Phoenix

metro area, and the number-one particulate, it is not pollution caused by man; it is caused by dust storms and dust coming up.

And we have been counseled, "Go ahead and wet it down. Use that, if you are going to stir up dust." Now, that is absurd.

I want to get to another question, another area, real quick. And that is on May 8, 2024, EPA formally awarded less than \$2 billion of its \$42 billion in IRA-related funding.

Is that accurate? I mean, that was just about 2 months ago. Is that accurate, that you have only awarded \$2 billion of the 42 out of IRA?

Mr. REGAN. I would have to get back to you. I do not have that number in front of me.

Mr. BIGGS. The reason I ask is because that is supposed to expire on September 30, and that's \$27 billion in EPA funding under the IRA which will not have been disseminated.

And the reason that that is important is because I want to know if you have any in the pipeline that you are going to grant before the end of September 30, this fiscal year, or is that \$2 billion in total, is that going to be it?

Can you find that out for me, if you do not know that today?

Mr. REGAN. Yes. I mean, I am making the assumption, which I believe is true, is that it is going to be in the pipeline and pushed out before. But let me—let me be specific and get back to my staff on that.

Mr. BIGGS. All right. I would like that. I appreciate that very much.

Last question, last area, is we have had three recent cases—one a little older, and that is the West Virginia case; you have also had the Ohio *v.* EPA case, which is the EPA's Clean Air Act FIP, which is being stayed until the duration of that litigation; you have Loper, which set aside and overruled Chevron.

I want to know what your agency is doing to respond to that, to those particular cases. Because it looks like West Virginia was ignored by EPA, because you actually—well, let us just, because I am out of time, I wanted you to answer that, if you would, please.

Mr. REGAN. Yes. I can absolutely say that EPA did not run afoul of the West Virginia Supreme Court issue. So, we would have to talk a little bit more about that. I am not quite sure what you are referring to there.

On the other court cases, a lot of these court cases are recent. For the Good Neighbor Rule, yes, the Supreme Court stayed it. I feel pretty good about our case and how we are going to pursue that in a lower court.

In terms of Chevron, listen, when I signed up for this job, I pledged to follow the law and follow the science. And the Supreme Court has spoken, and so we have to figure out how we get our work done under this new ruling.

Mr. BIGGS. All right.

Chairman COMER. Thank you.

The gentleman's time has expired.

The Chair now recognizes Ms. Lee from Pennsylvania.

Ms. LEE. Thank you, Mr. Chair.

And thank you, Administrator Regan, for sharing your time with us today.

Environmental rules and regulations are not just important for tackling the climate crisis. They are essential for addressing the toxic legacy of environmental racism and injustice.

Growing up in the Mon Valley of western Pennsylvania, I saw firsthand the devastating effects of unchecked pollution. Back then, when I was growing up, I did not quite have the language or the expertise to explain the science of pollution, but I had my years of experience living in an environment where the air we breathed was harmful. I knew that, wherever you were, if you were Black or you were Brown or you were poor, you were likely breathing toxic air too.

Our county ranks in the top one percent nationwide for cancer risk from air pollution. In my hometown of North Braddock, cancer rates are more than double the rest of the country. Approximately 90 percent of residents are at risk of exposure to particulate matter. Our childhood asthma rates are nearly three times the national average.

These statistics are not just numbers. They represent very real people, and very real families, and very real communities overburdened by industrial pollution.

Administrator Regan, under your leadership, addressing environmental racism and injustice has become a core component of the EPA's work, including through the rulemaking process.

Can you speak to how the EPA's recently finalized rules such as the Soot Rule and the carbon pollution standards will specifically improve conditions for individuals in overburdened and underserved communities?

Mr. REGAN. Well, absolutely. And thank you for sharing your personal testimony there. There are so many of us that have grown up and lived in areas where we are hit by unchecked pollution.

And the way to do this is the way we have done it, which is create a separate office, a national program Office of Environmental Justice and External Civil Rights, that spends time with our national programs that look at air and water issues to be sure that, as we are designing our regulations, we are not leaving any communities behind.

And what we have done a great job of is really ensuring that the statistics that you just laid out, the statistics in communities all across the country, are infused into the ultimate result of these regulations.

We—our regulations are not only better for the United States; they are absolutely better for those who have been disproportionately dumped on for decades. Our children now are breathing cleaner air. They are not drinking lead-poisoned water. And they are doing better in school. And they are happier. And they are healthier.

And so, that is what we have been doing the last 3 1/2 years, and we are going to keep doing that.

Ms. LEE. Thank you.

While developing strong environmental regulations is crucial, we know that it is just half of the battle. These regulations are only as effective as they are backed by rigorous enforcement.

Across the country, many Black, Brown, and poor communities continue to bear the brunt of environmental hazards as their corporate polluters just flout the rules with little consequences.

For decades, industry has promoted this myth that pollution is merely an unavoidable price to pay for economic growth. Yet we know that this narrative is just a false choice that primarily serves to shield big polluters from accountability for their chronic environmental harms, ultimately harming both those frontline—fenceline—communities and the workers.

In just the past 2 years alone, one facility in my district has been fined as much as \$14 million for hundreds of violations. And, unfortunately, we know this company is not an outlier. For corporate polluters all across the country, it is clear that these fines are just a fraction of their massive earnings and they do not actually serve as a deterrent. It is just a cost of doing business.

So, Administrator Regan, how is the EPA working to ensure that chronic corporate polluters face real consequences when they consistently dump toxins into our communities?

Mr. REGAN. Well, (1) we have to continue to be vigilant with our enforcement capabilities and not let any of the polluters off the hook. We believe, I believe that the polluters should pay.

But second, as we take a look at these facilities, there is communication with the arms of our office that design regulations that show many of these companies cannot only meet these standards, they can go below.

So, when we design a new regulation, then there are stiffer penalties associated with those newer regulations. So, as we ramp down pollution through a regulatory approach, we also give our enforcement teams more authority to hit them a little bit harder.

Ms. LEE. So, what additional enforcement authorities does the EPA need from Congress to address this—the chronic polluters effectively?

Mr. REGAN. Well, I think—listen, we have a very strong enforcement team. I think the only limitations we have is, does the fine match the action, which you have laid out.

And I think we have some statutory constraints in terms of just how much we can fine a facility. Some of these facilities have very egregious behavior, as you have laid out, but the statutory authority only allows for us to fine them a certain amount.

And so, if those amounts are raised and are proportionate to the crime, we will do our job and we will hold those polluters accountable.

Ms. LEE. Thank you, Administrator, for your time.

I yield back.

Chairman COMER. The gentlelady yields back.

The Chair now recognizes Mr. Grothman from Wisconsin.

Mr. GROTHMAN. I represent Wisconsin. I think a lot of people do not know it, but Wisconsin has the highest percentage of manufacturing jobs in the country.

Did you know that, Administrator Regan?

Mr. REGAN. I did.

Mr. GROTHMAN. Man, that is my type of guy. That is great.

OK. So, you know we have a little bit of a problem, though, with our Wisconsin manufacturing along Lake Michigan—you know,

Milwaukee County, the counties to the north of there, Ozaukee, Sheboygan County—in that it is real non-attainment because of high ozone levels.

Now, those ozone levels only occur on certain days along Lake Michigan, and it is something to do about the interaction of the sun and the lake and that sort of thing. And even insofar as there is pollution on Lake Michigan, most of that pollution comes up from Chicago or even further south. In other words, even if there are no factories in Milwaukee or the counties north of there, we might be in non-attainment.

And because we are in non-attainment, it results in having to do things like having special tests on your car. Maybe, if you are somebody who cannot afford a new car, you are really getting harmed, because you might have to spend \$1,000 to get your car up to snuff, when, you know, the amount of pollution is minimal anyway.

So, I always feel this thing really disproportionately affects a poor person, who—you know, if I have a new car for 5 years, I will pass that thing no problem.

Mr. REGAN. Right.

Mr. GROTHMAN. But if I have an old car, like I said, it may be, pay \$800 or pay \$8,000, or get yourself a new car.

Are you guys working toward or do you have a plan toward getting places like Milwaukee and the surrounding area back in attainment so our factories do not have to be at a competitive disadvantage, not only with the rest of the—rest of the country but the rest of the world?

Mr. REGAN. We do.

And I am very sympathetic to what you just laid out. I witness that time and time again in North Carolina.

The plan that we had in place to begin to help places like Milwaukee, the Supreme Court just shut it down.

I believe that when air pollution comes from another state and impacts a state, that state should not be penalized. And so, our Good Neighbor Rule was designed to stop pollution from coming across borders and being an economic disrupter or health disrupter for other states.

We will continue to work with our state agencies to be sure that, when we look at high-ozone-action days or ozone pollution, that we can properly assess where it is coming from so that we are not penalizing the wrong people.

Mr. GROTHMAN. I would be happy to work with you.

And, like I said, my heart goes out to the people who cannot afford a new car. They buy, you know, a 7-or 8-year-old car with 200,000 miles on it, they flunk the test, and the government comes down and, you know, nails them, and they have got to pay 2,500, 3,000 bucks. So—

Mr. REGAN. Yes.

Mr. GROTHMAN [continuing]. I hope you do something about that.

Mr. REGAN. OK.

Mr. GROTHMAN. Now, in October of last year, a group of trade associations representing at least 70,000 small firms engaged in the production of formaldehyde sent you a letter asking you to establish a small-business advisory panel. And I think that is be-

cause, whenever new regulations come out, they disproportionately affect small business.

You have not acted yet to establish such a council. Is that something you would consider doing to look out for the little guy or at least get their viewpoint as the rules are being promulgated?

Mr. REGAN. Let me check back with my staff so I can take a look at that letter and also to see if our top political in that office has also given it any thought, and we will circle back with you.

Mr. GROTHMAN. Thank you.

I am glad you are here today, by the way.

Previously, the Environmental Protection Agency told Congress it would “consider all credible and readily available assessments”—and this is with regard to the TSCA risk evaluation of formaldehyde based on IRIS value.

Despite this promise, why has the EPA decided to rely on the IRIS value for ethylene oxide, formaldehyde, and other chemistries and ignore other regulation?

Mr. REGAN. So, if I believe I understand your question correctly, IRIS is just one of the tools that we use in the regulatory process.

Now, IRIS is very valid and is used and respected by states and Federal agencies and international bodies.

So, that IRIS value and the work that goes into that is widely accepted, but it is one tool in our toolbox as we make determinations on chemicals.

Mr. GROTHMAN. OK.

At least I am told you have a value from ethylene oxide that is 19,000 times lower than naturally occurring levels of ethylene oxide in the human body. In other words, you are looking for a tolerance that is just tiny, you know? I mean, we would be more worried about what is naturally occurring in my body.

Could you—I guess, could you look at that stuff again, see if you feel you guys are going a little bit overboard, and then look and see what they’re doing in other countries?

Because it is very frustrating when I have the businesses in my office explaining, “These are the standards in Europe, these are the standards in Asia. Why is it so much more, almost impossible standards, that our businesses in America have to live under?”

Mr. REGAN. Yes. Let me—let me get our staffs together, and we can—we can go through that.

Mr. GROTHMAN. Yes, I will give you a call.

And, again, thanks for coming over here. Really appreciate it.

Mr. REGAN. Looking forward to your call.

Chairman COMER. The gentleman’s time’s expired.

The Chair now recognizes Mr. Mfume from Maryland.

Mr. MFUME. Thank you, Mr. Chairman and Mr. Ranking Member.

I appreciate the opportunity, Mr. Regan, to have an opportunity to talk with you and to welcome you to this Committee. I do not know what to say except that the gentlewoman who was here earlier said, “Welcome to Oversight.” It is challenging sometimes. But this issue before us is very, very important.

I want to commend you, Mr. Administrator, for the critical role that you have played in our fight against climate change and reducing the public exposure to air pollution and toxins.



My district in Baltimore has reaped the benefits of the Biden Administration's commitment to environmental justice firsthand. And, more specifically, you may be familiar with the Baltimore-based Green and Healthy Homes Initiative, which was selected to serve as 1 of 11 regional grantmakers under EPA's Environmental Justice Thriving Communities Grantmaking Program. It was created by the Inflation Reduction Act. It is working well in Baltimore, and my assumption is that it is working well in other cities that are just not here to talk about it today.

On a personal level, like many of my colleagues, I am concerned about our Nation's carbon footprint; I am concerned about deforestation and what it is doing; about lead poisoning and water pollution; about climate change, which has not been referenced here enough, I think, today; and about all the respiratory diseases that people are faced with, particularly people in communities where they cannot move, they do not have the mobility to get away from toxic sites and dumping and all the things that go with it.

And so, if I can speak at all today, I want to speak on behalf of those people. Because our job, at the end of the day, is to preserve and protect the environment and to protect the people who cannot get away from the environment they are in.

I want to, if I might, just raise one community's attention—or, to your attention, and that is the community of Curtis Bay in Baltimore.

And I would like to have, Mr. Chair, unanimous consent to enter into the record a *Politico* article that says, "Coal Dust Concerns Mount After Baltimore Bridge Collapse."

Chairman COMER. Without objection, so ordered.

Mr. MFUME. I would also like to enter into the record a letter that I sent to Administrator Regan outlining the perils of that community and seeking help.

Chairman COMER. Without objection, so ordered.

Mr. MFUME. And I would also like to enter into the record the petition for rulemaking that many of the communities in that area have fought long to get.

Chairman COMER. Without objection, so ordered.

Mr. MFUME. And, if I might, I want to commend people who are kind of nameless and faceless in one of those communities, like Mr. David Jones in Curtis Bay; Greg Salwell—Sawtell, excuse me, President of the Curtis Bay Community Association; Mike Middleton; Dr. Meleny Thomas; Angela Smothers; Johns Hopkins Bloomberg School of Public Health; and Coal Free Curtis Bay, all of which are working together, and have been for a long time, to underscore the problem that I want to take a moment to talk about, and that is the moment that I have before me.

There are problems in that community, Mr. Administrator, with coal dust. When the bridge collapsed, the mounds of coal continued to increase. We have tried to have discussions with CSX and others who are around and responsible in many respects for the mounds of coal. Those discussions have gone nowhere at all. They have been cute and courteous, but we have not seen a change from them.

And then I hear today this whole notion of profit, which was dressed up by using two other adjectives that did not make sense

that all mean the same thing: that you cannot take away profit margins from companies, but you can allow people to suffer.

In Baltimore, we have the second-highest rate of asthma in the whole country. Thirty-three percent of all schoolchildren in Baltimore City have asthma. And national studies show that unmanaged asthma contributes to missed schooldays and, obviously, to disparate educational outcomes.

Poor White, poor Black, poor Latino kids are living there right now, breathing that air, growing and developing, and increasing the numbers of asthma and other related respiratory diseases. To me, that is much more important than the profit margin of some of these companies.

So, I have sent the letter. Your staff has acknowledged receipt of it. I would appreciate, to whatever extent you can, if you could get back to us right away.

And if we at some point can get you to that community—

Mr. REGAN. Yes.

Mr. MFUME [continuing]. To meet those people and their children, who are crying out even at this moment for help.

Thank you very much, Mr. Chairman. I yield back.

Chairman COMER. The gentleman yields back.

The Chair now recognizes Mr. Timmons from South Carolina.

Mr. TIMMONS. Thank you, Mr. Chairman.

For over 100 years, my district in upstate South Carolina led the country and arguably the world in textile manufacturing.

Starting in the 1970's, not coincidentally when the EPA was created, unsustainable increases in regulation and bad trade deals from Washington resulted in manufacturing jobs moving to China. This devastated our community, with tens of thousands of people losing their jobs.

We all agree that environmental standards matter, but our policies must balance interests and seek to mitigate the unintended consequences of new standards. Washington must always remember that it is a global economy and our policies cannot disadvantage the competitiveness of U.S. businesses.

Luckily, my district has rebounded and is again a hotbed of manufacturing. We are home to the largest BMW production facility in the world, and we manufacture clothing for our men and women in uniform, among countless other innovative and essential products.

But continued innovation is central to the success of these industries and manufacturers, and, frankly, the EPA is standing in the way of that continued growth.

Recent delays in approvals for new innovative chemicals are hindering American innovation and yet again driving production offshore. A vehicle contains about \$4,400 worth of different chemicals. This amount has grown drastically, over 30 percent, in the last decade as automakers push for lightweight and more efficient vehicles. Milliken, a large employer in South Carolina known for leading the way in chemical innovation, has not received a single approval from the EPA faster than 9 months.

And important to note that many of the chemicals are required precursors to chip manufacturing, something that your Administration allegedly emphasizes. It takes almost 500 different chemicals

to produce 1 semiconductor. American businesses on the cutting edge of alleged Biden Administration priorities are suffering the consequence of a mismanaged system.

So, it seems history is again repeating itself. It goes something like this: Washington intervenes, regulation increases, companies relocate overseas, and American workers suffer.

As you know, under the Toxic Substances Control Act, the EPA is statutorily mandated to make a determination within 90 days of a manufacturer submitting an application. Despite this requirement, the EPA is not making timely reviews. Recent data shows 88 percent of the 408 pending pre-manufacture notices are beyond 90 days. Even worse, 243 new chemicals have been in the system for over 365 days, an entire year.

How can we expect American companies to be on the cutting edge of innovation when large chunks of our government cannot even follow its own mandates? This backlog is just wholly unacceptable. This has been a consistent problem in the last 3 1/2 years.

So, my question is this, Administrator Regan: What is the EPA doing to reduce delays and improve performance?

Mr. REGAN. Yes. Well, let me start, Mr. Timmons, by saying I agree with you. And we petitioned Congress, and in 2022 and 2023 Congress gave us small increases. We more than doubled the number of new chemical reviews per month, and we cleared out more than half of the backlog that we inherited from the previous Administration.

Now, this time, that budget was cut. So, we could—

Mr. TIMMONS. OK. I appreciate that answer.

Let me show you really quick—so I do not think that that is accurate. It is not a funding issue. And you are not doing more with less; you are actually doing less with more.

As you can see from this chart—look right here. We were processing almost double the number of applications relative to 4 years ago, and your funding has gone up \$20 million. So, I just do not think that that is accurate.

Again, in Fiscal Year 2017, the Office of Pollution Prevention and Toxics received \$62 million and completed 469 new chemical reviews. In Fiscal Year 2023, the same office received \$95.3 million and only completed 142 requests.

So, I mean, I just do not think that you are being effective with your money. You have received more, and your outcome is worse.

In your opening testimony, you stated that the goal of your organization is to ensure that American innovation leads us into the future. Yet the EPA has clearly reduced its efficiency. And what is worse is that you have increased application costs. You have received 50 percent more funds compared to 4 years ago, reduced the application process by over 60 percent compared to 4 years ago, and you have the audacity to implement an exorbitant price increase for PMN applications, from \$19,000 to \$37,000?

Manufacturers are paying more and getting more delays and more uncertainty. I do not know where this money is going if it is not being used to complete more reviews, because it is not helping American businesses.

I will close with this. There have to be procedural steps that you can take to improve efficiency and timeliness. I would suggest maybe you ask the EPA Administrator under the previous Administration.

We have \$35 trillion in debt, and we are adding a trillion dollars to our debt every 100 days. We have to do more with less, not, as your agency over the last 3 years has done, less with more.

I hope you can take a look at this issue and respond in writing with what steps the EPA can take to address this problem.

And, with that, Mr. Chairman, I yield back. Thank you.

Chairman COMER. The gentleman yields back.

The Chair now recognizes Mr. Frost from Florida for 5 minutes.

Mr. FROST. Thank you, Mr. Chairman.

And thank you, Administrator Regan, for being here. I appreciate the great work that you do.

And I hope a lot of members that are bringing up concerns with the office will actually follow-up with you all and create a good relationship with you instead of just taking 5 minutes to get a clip for YouTube or whatever to post online.

Many Floridians acutely recognize that their future is at stake in discussions about climate policy. We are a frontline community; we are a frontline state.

Not long ago, I met with Orange County Utilities, the water provider for communities like the area of Bithlo, which is in my district. Most of Bithlo does not have access to municipal water and wastewater, only using wells and septic systems.

Thanks to ARPA, the American Rescue Plan, Orange County is able to invest \$12.6 million in the rural community of Bithlo. Future phases will require further investment. And the implementation has begun on Phase 1 of the transformational rural water infrastructure project in a portion of the community of Bithlo.

We are also looking forward to having the Region Four Administrator visit Bithlo to provide technical assistance resources.

I also want to uplift the historic town of Eatonville, which is also in my district. Eatonville is the country's first and oldest Black municipality. They are finalizing awards from the EPA's SRF program through the clean water projects and drinking water initiatives. And so, we are excited about that and appreciate the EPA for your work.

For those who do not know, last year the EPA established the National Environmental Youth Advisory Council. The council met earlier this year for 2 days, on February 28 and 29. And, of course, I was honored to be at the launch of this council last year.

Administrator Regan, during the 2-day inaugural session of the National Environmental Youth Advisory Council, what recommendations or points of focus stood out to you the most? And how do you plan to incorporate them in your vision for the agency?

Mr. REGAN. Well, first of all, thank you for joining us last November. I think the young people were more excited to see you than see me, so you gave us some street cred there.

Yes, we pulled together 16 of some of the smartest young people from across the country, ages 16 to 29. And they spoke very passionately about: (1) Our ineffective ability to communicate and connect with young people, you know, bringing the bureaucratic con-

versations down a notch. And so, we have looked at our educational outreach, our social media strategies, to be sure that our information is getting to folks; (2) They have made a number of suggestions on how young people can be more involved in our regulation-making, our regulatory opportunities. They have given us a number of recommendations that we are still combing through; and (3) You know, when they have looked at EPA's agenda for the next 2 to 3 years, there have been some things on our agenda that they have asked us to prioritize and move up a little bit higher.

So, I just want you to know that we are listening to our young people. They absolutely have a permanent seat at the table. And, quite frankly, from what I am seeing, they are going to make the agency and our products better.

Mr. FROST. That is amazing. Thank you so much.

Last April, the EPA put out a national-scale report showing how climate change and the climate crisis is disproportionately harming our Nation's children.

I ask unanimous consent to submit that report to the record.

Chairman COMER. Without objection, so ordered.

Mr. FROST. Some of the key findings highlighted how climate change is expected to increase the incidence of asthma in children, increase asthma-related emergency department visits, increase climate-driven temperature increases that are projected to result in four-to-seven-percent reductions in annual academic achievement per child. And, also, if no additional adaptations are taken, 1 to 2 million children are estimated to experience temporary home displacement or complete home loss due to the climate crisis.

With at least half of the National Youth Advisory Council members coming from or working primarily in disadvantaged communities, how is the EPA ensuring that these voices are not only heard but their concerns are acted upon in a meaningful way?

Mr. REGAN. Absolutely. As we push these reports out, we, you know, in between sessions, ensure that they have this level of information.

Each session—this is a FACA, this is a formal group. So, each session they have with me and my leadership team, they come prepared with recommendations that they adopt, or we adopt, procedurally. And so, it is my hope, at the next meeting, they will come fully prepared to discuss this report, along with the series of reports that we are pushing to this group.

Mr. FROST. Well, I thank you so much for bringing young people to the table to be a part of the great work the EPA is doing. As we know, young people are disproportionately impacted by the climate crisis.

And I think we all know the cost of not doing anything is far greater, or the cost of not doing anything is far greater than the cost of waiting. We have to ensure that we defeat the climate crisis and do everything we can.

Thank you so much.

And I yield back.

Chairman COMER. The gentleman yields back.

The Chair now recognizes Mr. Burlison from Missouri for 5 minutes.

Mr. BURLISON. Administrator Regan, on March 28 of 2022, you revoked a policy that was put in place by the Trump Administration that was designed to protect taxpayer dollars by curbing some of the impact of these special interest groups that use sue and settlement agreements.

Reports indicate that the Biden Administration has already spent more taxpayer dollars on these settlement agreements than any other recent President.

Are you aware of how much money that the EPA is spending on these attorney fees and other litigation?

Mr. REGAN. I do not have that specific number in front of me. We can get you that specific number.

Mr. BURLISON. OK. I would appreciate that. Also, are you—do you have an account for how many times—how many events are occurring, how many lawsuits are occurring?

Mr. REGAN. Well, you know, I think you and I know that sue and settle has been a tool that has been used for lots of administrations. And I can say that we have successfully picked up one that the previous Administration was using on a mega suit.

The sue and settle procedure or policy a lot of times gets us out from under the court's jurisdiction so that we can retain the flexibility and autonomy we need, like when we are digging out of the Endangered Species Act or looking at all of the litigation we are facing for pesticides and herbicides.

And so, you know, we use this tool strategically to make sure that it is in the best interest of the taxpayer and the Agency and the industry.

Mr. BURLISON. But it does cost the taxpayers in litigation costs, correct, in increased litigation costs?

Mr. REGAN. Not necessarily. I think we try—we have to balance, right, taxpayer dollars.

Mr. BURLISON. Has there been an audit done recently?

Mr. REGAN. An audit done?

Mr. BURLISON. Right. When was the last time that an audit was done in relation to using taxpayer dollars for these sue and settlement agreements?

Mr. REGAN. I am not sure when that last audit was done.

Mr. BURLISON. My staff note that the last time they could find, it was 2011, which is not at all recent.

In a briefing that you provided—

Mr. REGAN. 2011?

Mr. BURLISON. Yes, 2011. Might be time for another one.

Mr. REGAN. We should check that. We will check that fact.

Mr. BURLISON. And I wanted to kind of, with the limited time that I have, jump to an issue that is kind of—that is important to the Midwest, and that is, you know—and I thought the Biden Administration noted that this was an important problem when they recognized that meat packers—I think it is even on the White House's website—that they have a plan to try to bring more competition, try to bring more resiliency to the meat processing industry.

And yet one of the sue and settlement agreements and rules has caused a new rule to be proposed by the EPA that will have, ac-

ording to meat processors, particularly small meat processors, very, very detrimental if not devastating impact.

Are you aware of the inconsistency—or the impact that that might have on small meat processors?

Mr. REGAN. I have to circle. Tom Vilsack and I have been working hand-in-hand on looking at the Administration's position on meat packing. And I would venture to say that our regulation is in concert with the direction of USDA.

I would need for you and your staff maybe to provide to me the specific rule or the specific meat packer so that we can address your question directly, because I am not quite sure. If you have the name of the meat packer or the rule, maybe we could have some more conversation.

Mr. BURLISON. I really greatly appreciate that. From what I—my understanding is that it is requiring them to have the most advanced technology to process phosphorus and nitrogen so that they do not end up in the water system. And that there is debate about, you know, obviously, there is an amount that can be, you know, detrimental, but our environment also needs nitrogen and needs phosphorus. So, this is a—these are natural products.

This is particularly of concern to the small producers who would have little impact on the environment, and that is—those small businesses are what make up America.

Mr. REGAN. Yes. Let us talk. Let us get our staffs together and talk about these specific instances so that we can look at where the producers are, how much nitrogen and phosphorus are they producing, and whose regulations they may be running afoul of. This could be a USDA or EPA issue, so I would like to make sure we know.

Mr. BURLISON. Thank you.

Chairman COMER. The gentleman has 6 seconds left. I assume you will yield.

Mr. BURLISON. Yes.

Chairman COMER. Just wanted to touch up on that point. That is a huge issue in my district as well with the wastewater, new wastewater regulations from EPA. I have five poultry processors in my congressional district and hundreds and hundreds of poultry farmers in my district, most of whom are young farmers. So, they are all extremely concerned by this ruling, and that is something that we would hope to expect to hear from you soon on that.

Mr. REGAN. Absolutely.

Chairman COMER. Thank you.

The Chair now recognizes Ms. Stansbury from New Mexico.

Ms. STANSBURY. All right. Well, thank you, Mr. Chairman.

Welcome, Administrator Regan. First of all, I just want to say I think you are doing a truly exceptional job. I think you have put together an extraordinary team at EPA. I want to just take a moment to recognize our regional administrator, Ms. Earthea Jones—I mean, sorry, Nance, who is just doing a really exceptional job, and we really, really love her. Yes, she is.

And I also want to just say thank you to all of the civil servants who are here sitting behind you and out there serving in the EPA, because I am going to be honest, it has been a rough, rough 7 1/2 years since we have crawled out of the Trump days.

And I am a former environmental science professional. I am a former fed. I used to work for OMB, not in the evil parts. No, I am just kidding.

But, you know, it is really hard on our Federal workforce when you have an administration like the Trump Administration that came in and systematically gutted the Federal workforce, they dismantled the policies that had been in place for years, and that really tried to undo all of the progress that our country has experienced over the last 50 years since we have been trying to clean up our environment.

And so, I want to just take a few moments, because I think, you know, right now in this moment, our country is having a little bit of collective amnesia about how bad it really was, because I remember. I was here on the Hill, actually, when the Administrator under Trump took over, and I remember what it was like, and I remember the hundreds of people that were leaving EPA, and I remember all the rollbacks of all the policies.

And so, I want to ask you, after 4 years of Trump—you came in early in the Biden Administration—what was it like at EPA? What was going on with the workforce? What was going on with the office's morale and the policies that were happening there, and what did you have to do to clean it up?

Mr. REGAN. Yes. I appreciate that question. I worked at EPA, started as an intern, worked there for 10 years before I left and came back. And it was not the EPA that I had left. It was a completely different place.

And in my conversations with old colleagues and new colleagues, talking to me through tears, they talked about feeling disrespected. Science was ignored. They were asked to leave meetings. So, the culture was not the best. We lost, as you said, hundreds and hundreds and hundreds of scientists, and with that we lost decades of experience.

So, you know, the President came in with a very bold agenda, and we had to ensure that the EPA staff would be a part of that new vision. So, we created new policies to make our interactions more transparent. We started to reengage with the press and outside world to say that EPA is open for business. But, more importantly, we improved our scientific integrity, and we started to bring the career staff back into the big meetings. And we listened to the science, we listened to the data, and we have taken a lot of their recommendations.

We were at record lows in terms of staff. Thanks to your partnership with the President and Members of Congress, we have hired about 5,000 people under BIL and the IRA resources. Some of those are term limited.

But the short of the story is that there has been an infusion of enthusiasm and excitement, and a lot of our employees are making up for lost time and working 5, 6, 7 days a week. So, EPA is as strong as it has ever been today.

Ms. STANSBURY. Thank you. And, you know, I think it is evident—I do not know if you have had a moment to kind of take a breath this morning and look behind you, but we have a packed audience this morning, and it is full of young people. And so, I think, in addition to restoring our Nation's Environmental Protection



Agency and the laws that are protecting our air, water, and climate, you are inspiring the next generation of leaders. And it is really cool.

Mr. REGAN. It is.

Ms. STANSBURY. I do want to just use my remaining time to say, you know, we have talked and some of my colleagues have covered the terrifying ground of Project 2025.

I think it is worth noting that Trump's Chief of Staff, who served in the EPA, this lady here, wrote Project 2025's EPA chapter. And so, when President—former President Donald Trump says he has no idea what Project 2025 is, well, his politicals from EPA who planned the dismantling of EPA under his Administration are now planning for him to do it again.

And, you know, there is not time here to talk about all of the terrifying things that are going on inside this policy proposal, but for anyone out there that hasn't read it and the chapter of what they plan to do to dismantle our climate programs, our environmental programs, to do away with Tribal and public health programs, and to literally move and close down offices and fire people, you all should wake up and be terrified.

So, you know, I appreciate your service. We got a lot of work ahead of us, and we are going to keep on fighting. Thank you.

Mr. REGAN. Thank you.

Chairman COMER. The Chair now recognizes Dr. Foxx from North Carolina.

Ms. FOXX. Thank you, Mr. Chairman. And I appreciate the Administrator for being here.

Mr. Regan, the Biden-era EPA has managed to add \$1.3 trillion in cost on Americans. In contrast, in 8 years, the Obama EPA added only—only—about \$300 billion in cost.

Can you help me understand how the Biden EPA under your watch has found so many new ways to impose cost on the American people?

Mr. REGAN. Well, I am not quite sure if I agree with that level of cost, but what we have attempted to do is to balance cost-benefit analysis, cost-effective technologies, providing the market some certainty while also protecting the environment and public health.

We think that we are walking and chewing gum at the same time and doing it in a way where we are not sacrificing the economy.

Ms. FOXX. The Clean Air Act amendments are well over 50 years old. That means the EPA has had more than half a century to develop regulations that touch nearly every facet of life in industry in this country.

How is it that in the last 3 1/2 years the EPA found so many new costly and creative ways to regulate Americans?

Mr. REGAN. Well, I would not necessarily say that they are costly. I would say that, when I took office, the power industry asked me to not look at regulations in a series but think about how they could be bundled so that they could leverage their investments. And so, what we have tried to do is listen to industry, fulfill our statutory obligations, but do it in a way where we get thoughts from them, whether it is regulating methane or looking at coal plants and new natural gas.

We have tried to really use the latest and greatest technologies to help propel us into the future and remain globally competitive.

Ms. FOXX. If these new regulations from the Biden EPA are so important, how could the EPA under previous administrations, which possessed the very same authorities the EPA wields today, have missed such great opportunities to fundamentally reshape American industry, transportation, and nearly every aspect of our life?

Mr. REGAN. Well, I would say that the difference and the opportunity is coming from the Bipartisan Infrastructure Law and the Inflation Reduction Act, which is providing tax credits and monetary infusion into the market and into companies that complements our regulations, which is helping us to move faster and further than we ever have before.

So, I would not necessarily say that it is EPA being more aggressive from a regulatory standpoint. This is the first time in history that we have had hundreds of billions of dollars to develop grant programs or infuse capital into the private market to help us begin to look at efficiency and lowering pollution.

Ms. FOXX. We need to stop adding to the regulatory burden that threatens to choke off innovation and economic growth in this country. That is why I introduced H.R. 3230, the Unfunded Mandates Accountability and Transparency Act, or UMATA. This bipartisan bill will strengthen Congress' ability to stop Federal regulators from loading up the private sector and state and local governments with costly new unfunded mandates.

UMATA requires Federal agencies to accurately consider the cost of their regulations, consult with stakeholders, publish their assessments, and ensure that any new regulations produce the most benefits for the least cost.

In your confirmation hearing in 2021, you said that you would "work in partnership with Congress," "build consensus around programmatic solutions," and strengthen relations with the private sector.

Will you support a commonsense solution like UMATA since it does exactly what you claimed you would do in your confirmation hearings?

Mr. REGAN. Well, you know, the appropriate answer for me is to say I would love to provide technical assistance to that legislation or bill. That is the proper role of an agency. And so, we would love to have some staff look at that and see how we could provide technical assistance to that.

Ms. FOXX. I thank you.

Mr. Chairman, I think that we have an EPA that is basically out of control and imposing horrible regulations and costs on the American people, and there are things we need to do to contain it. I yield back.

Chairman COMER. Absolutely.

The Chair now recognizes Ms. Bush from Missouri.

Ms. BUSH. Thank you, Mr. Chairman.

And it is great to see you again, Administrator Regan.

St. Louis and I are here today in support of essential regulations to ensure clean air, clean land, and clean water in every community. As we continue to suffer from the record heat, drought, floods,

and wildfires, the Environmental Protection Agency is an essential force at the front lines of addressing the climate crisis and toxic pollution in neighborhoods like ours in St. Louis.

Under your leadership, Administrator Regan, the Agency has taken bold steps to limit pollution and contamination from fossil fuel, power plants, chemical facilities, vehicles, and forever chemicals like PFAS. You have continued the critical work of cleaning up toxic sites around the country and advancing President Biden's critical Justice40 Initiative, including through my Environmental Justice Mapping and Data Collection Act.

You have achieved so much, all while weathering an extremist assault on the basic functioning of the Agency by far-right Members of Congress and Supreme Court Justices who are hellbent on catering to industry profits above basic needs of regular people. The Republican Party is pro-pollution, pro-big oil, pro-disaster, and pro-disease.

The EPA's work is saving lives in states like Missouri and communities like St. Louis. Last year, the Agency began investigating toxic fumes and odors in south St. Louis after I heard from constituents and requested action from the EPA. And over the last few years, my team and I have worked closely with the EPA to minimize the impact of historical legacy pollution in our community.

The essential role of the EPA is underscored by the harms my constituents continue to face from environmental contamination and nuclear waste dating back to World War II. For over 80 years, St. Louis has grappled with the consequences of radioactive waste left over from the Manhattan Project that has contaminated Coldwater Creek, which is a core waterway in our community, and the West Lake Landfill, where radioactive waste is buried next to an underground chemical fire.

For decades, the Federal Government both hid and downplayed the risk of these—of this radioactive waste in our district. People in my district who were unknowingly exposed to this radiation are now living with serious chronic health conditions, including several types of rare cancers.

As this toxic waste exposure continues to devastate my community, neither the Federal Government nor the private sector contractors who reaped profits from it have provided financial compensation to the victims of the Manhattan Project in my district, and we know who this exposure disproportionately impacts.

When we look at Black children in the city of St. Louis, they account for more than 70 percent of children suffering from lead poisoning. Our Black and Brown children in our community are also 10 times more likely than White children to go to the emergency room for asthma.

That is why these issues are personal to me. It is why I worked with Ranking Member Raskin to secure a GAO report on how to improve remediation efforts at nuclear contamination sites. That is why I have successfully pushed to include my Environmental Justice Mapping and Data Collection Act in this Inflation Reduction Act.

That is why the House, under a Democratic majority, passed several of my amendments relating to toxic exposure. That is why I have worked closely with Secretary Granholm and the Department

of Energy to ensure the EPA has the resources necessary to clean up West Lake Landfill.

And that is why I am pushing hard for Congress to reauthorize the Radiation Exposure Compensation Act, which provides health screenings and compensation for people sickened by U.S. testing of nuclear weapons, as well as expanded to communities like St. Louis and other areas that have been historically excluded.

In March, the Senate passed bipartisan legislation to do just that, but Speaker Johnson refused to take action to help the people who need it most and their families. And RECA expired over a month ago. That is appalling. It is an appalling failure of governance by the Speaker. And disproportionately Black and Brown communities like mine continue to bear the brunt of our government's failure to tackle the crisis of toxic waste and climate change.

That is what we mean when we talk about environmental justice and the Green New Deal and investments in clean energy. We are talking about doing everything we can to ensure every single person has access to clean air, clean water, no matter where they live, no matter their skin color or how much money they have.

So, Administrator Regan, which communities are disproportionately affected by environmental contamination, and what are the tangible benefits when contamination is successfully remediated?

Mr. REGAN. Well, I like to say that first of all, thank you for your leadership on this topic. And as I have traveled the country, whether you are poor in Appalachia or Lawrence County, Alabama, or St. Louis, the disproportionate impact on children and on people is unacceptable.

And the Bipartisan Infrastructure Law and the Inflation Reduction Act has offered lots of opportunities to begin to correct these wrongs, whether it is looking at brownfields and Superfund sites and partner with DOE to clean up that radiation and that pollution, or whether it is ripping out these lead-laced lines that are feeding water, drinking water to our children. We have seen a profound effect across this country for low-income, Black, Brown, Tribal community, thanks to the partnership between Congress and the President and both BIL and IRA, and we will continue to see that.

And let me just say that, whether you are in the South or the North, when you see pipes protruding from homes and the waste going into the very yards that the children are playing in because there is not a wastewater treatment facility in place, your heart really goes out.

And so, thank you for inviting me to your district to look at improving that wastewater treatment facility, and we are trying to do that all over the country.

Ms. BUSH. Absolutely. Thank you.

And I yield back. Thank you, Mr. Chairman.

Chairman COMER. The Chair recognizes Mrs. McClain from Michigan.

Mrs. MCCLAIN. Thank you, Mr. Chairman.

And thank you, Mr. Regan, for being here today. I appreciate it.

I want to shift our focus a little bit to our dependency on China. Simply put, I have a concern that the EV mandates make us more dependent on China, and that is what I would like to talk about today is the dependency that we have on China.

So, I need to start with, do you believe that the EV mandates make us more dependent on China?

Mr. REGAN. You know, we do not have an EV mandate. We have a rule that offers—

Mrs. MCCLAIN. Are you familiar with the Biden Administration's mandate that 70 percent of all vehicles produced by 2030 need to be EV?

Mr. REGAN. When you look at the reg—

Mrs. MCCLAIN. Are you familiar with that or am I mistaken, that is not—

Mr. REGAN. It is not 70 percent. When you look at—

Mrs. MCCLAIN. What is it then?

Mr. REGAN. When you look at the—

Mrs. MCCLAIN. What is it then?

Mr. REGAN. When you look at the—

Mrs. MCCLAIN. What is it then?

Mr. REGAN. When you look at—

Mrs. MCCLAIN. What is it?

Mr. RASKIN. Mr. Chairman, would the gentlelady allow him to answer?

Mrs. MCCLAIN. Yes, if he will answer the question I would ask, I would love an answer to the question.

Mr. RASKIN. He is trying to answer it.

Chairman COMER. It is Mrs. McClain's time.

Mrs. MCCLAIN. It is—

Mr. REGAN. Very quickly, there are a combination of technologies that can meet an environmental standard, and the regulation suggests that up to 60 percent could be met with EVs, but that rule could also be met with plug-in hybrids, hybrids—

Mrs. MCCLAIN. OK. So, we are—there is not a mandate—

Mr. REGAN. No, there is not.

Mrs. MCCLAIN [continuing]. That 70 percent of vehicles need to be—

Mr. REGAN. No.

Mrs. MCCLAIN [continuing]. EV mandated by 2030.

Mr. REGAN. No.

Mrs. MCCLAIN. OK. All right. That is great. I am really going to be excited to go back and talk to our people in the great state of Michigan talking about the EV mandates that there really are no EV mandates.

So, we really—the auto industry does not need that. We should not be giving incentives then because there is no mandate.

Mr. REGAN. Well, I do not think the auto industry or the UAW would have stood with me when we announced the rule if it was a mandate. So, I clearly—

Mrs. MCCLAIN. So, there is—I am excited to hear about this, because from everything that I have heard from the UAW, from the auto workers, is that we need to give a lot of incentives. I mean, I think we give \$7,500 of incentives for people to buy EVs that do not work, by the way, that there are no mandates.

So, just to make sure that I am clear—and I want to make sure that I am clear—there are no mandates by the EPA as it pertains to combustion engines by the year 2030?

Mr. REGAN. No.

Mrs. MCCLAIN. Wonderful.

Mr. REGAN. There are no mandates.

Mrs. MCCLAIN. Thank you. Thank you. That is fantastic.

With that, I am going to yield back.

Chairman COMER. Would you mind yielding the remainder of your time?

Mrs. MCCLAIN. I yield the remainder of my time.

Chairman COMER. Thank you.

Mr. Regan, I am curious. When was the last time you met with President Biden face-to-face?

Mr. REGAN. I was with the President maybe less than 2 months ago.

Chairman COMER. Can you describe that meeting and who was in attendance?

Mr. REGAN. We flew from D.C. to Charlotte, North Carolina, to meet with some law enforcement officers who had been gunned down while they were trying to serve a search warrant. He met with the individual families, spent time with them, talked to them about his personal loss and how to move forward, and his belief in God and Christ.

And he then left there, and we went to an event in Wilmington, North Carolina, where we did an engagement on lead pipes. And he gave a speech and met with hundreds of people in North Carolina, if not thousands, to talk about the importance of lead exposure.

Chairman COMER. I was just curious.

Back to what Mr. Burlison said about the wastewater treatment issues and the poultry and meat packing industry, is there ever any thought by the EPA when a rule is administered, an executive order, whatever you want to call it, is administered, as to what the cost will be not only to the industry or the private business but to the consumer?

Because in my district, one poultry processing plant in west Kentucky makes all—you know, all their chicken goes to Chick-fil-A. Another goes to McDonald's for Chicken McNuggets.

The cost of these everyday food supplies for working-class Americans, these food sources, has significantly increased in the last 3 years. And one reason they have increased is because of excessive regulations. One reason is because of inflation, which I think is a result of excessive regulations.

So, just out of curiosity, does the EPA ever take into consideration when they make a drastic rule change how that will impact middle-class Americans?

Mr. REGAN. We do. And in this situation, Chairman Comer, we were petitioned to take a look at and begin to develop a regulation for this specific industry. And that is the process that we are going through.

We did not raise our hand and voluntarily say, let us go do this. We were petitioned. By law, we have to respond to these petitions. And now we are looking at the wastewater discharge from some of these facilities.

I want to let you know that I have instructed my team to engage with the industry, to engage with everyone who is familiar with this industry, because if we do anything we want to do it correctly.

Chairman COMER. Very good. Hopefully, you will take into account what the impact will be to average middle-class Americans who are struggling to pay their bills, struggling to pay their food bills to put food on the tables for their families.

Mr. REGAN. Yes, sir.

Chairman COMER. The Chair now recognizes Ms. Tlaib from Michigan.

Ms. TLAIB. Thank you so much, Chairman.

Thank you so much, Administrator Regan, for being here.

You have been to Detroit. You have been to Michigan several times. I do not think I did get you to come out to meet some of our residents living on Beniteau Street yet, but Beniteau Street on the east side of Detroit is a predominantly Black, very working class, low income, poor community, and they have a massive Stellantis auto plant complex in their backyard. It has been making them sick and ruining their quality of life for years. Some cannot even have outings outside with their families—barbecues, birthday parties. The odor is unbearable. I have experienced it myself, Administrator.

And state regulators in Michigan had issued Stellantis air permits. And they had the public meetings, they did the whole process, but they failed to ensure that they complied with the permit conditions. They were required, Stellantis was required to install pollution controls, and they failed to install them correctly.

I think they withheld that information for months. I do not know if it was 6 months, 7 months. It was months, even though the residents were saying, something is wrong here, the odor, something is wrong here, there is something wrong. And, again, they did not fix it for months.

This is—you know, our residents, one, they did not feel believed by the state for a long time, but they also believe like, wait, why are they always routinely, the state, approving pollution permits that they know are poisoning predominantly Black, Brown, immigrant, low-income communities across Michigan?

So, they worked with a nonprofit organization called the Great Lakes Environmental Law Center. And in November, I believe—or, sorry, in 2021, they filed a Title VI civil rights case, a complaint.

Are you familiar at all, with that at all?

Mr. REGAN. Yes.

Ms. TLAIB. Oh, good. OK. So, Administrator Shore and some of the members of the team at Region 5 talked to me about this. You know this. I mean, the EPA was pursuing an informal resolution agreement for more than a year with community members at the table, Administrator, and, again, trying to get toward a resolution with the state.

And all of a sudden, the state is like, nah, we do not want to talk to them anymore. And EPA was like, OK. Do you know why?

Mr. REGAN. Given that this is an active Title VI case, I cannot—

Chairman COMER. Microphone. Make sure your microphone is on.

Mr. REGAN. Given that it is an active Title VI case, it is improper for me to comment on or speculate.

Ms. TLAIB. Yes, but it sounds like you guys are letting them off the hook.

The leverage that we have as—and I want you to know I want them to feel like their lives are important under an administration that says they care about clean air and water, right?

And it is hard for me. And no matter who is the President, Administrator, I am going to be very much always about holding them accountable.

So, as I understand, the law is clear. When there is—an informal resolution agreement cannot be reached, EPA must investigate and issue findings that determine whether or not discrimination occurred.

Why are we not doing that? Why are we not doing that?

Mr. REGAN. Let me take this concern back to our Title VI lawyers and team that is working on this.

Ms. TLAIB. Please.

Mr. REGAN. And we will keep you apprised as much as we can.

Ms. TLAIB. And, Administrator Regan, this is out of love and respect. I grew up in a neighborhood, honestly, I would come into my house as a little child, Chairman, smelling like rotten eggs. All my friends had asthma. I mean, it is awful. So, I am asking the EPA to take this complaint seriously.

Mr. REGAN. Yes.

Ms. TLAIB. Set a precedent that you care and watch. No matter who is the Governor, no matter who is in charge, it is important that we are consistent.

And, Mr. Regan, you know this, Administrator Regan, please fight for them like you live on Beniteau. Fight for them like you live there, because they have nobody else but us.

And I am—we are blessed that we have a nonprofit that took the case, but we cannot allow, again, politics and all these kinds of aspects come into play. We have to be consistent.

Again, no one told them to look away when months and months and months with them not complying with their own air permits. You know that. Companies put it in there. They sign it. They should comply with their own air permits, right?

And, again, I say this on behalf of many of my residents. We are doing good work in progress, but many of the young people, I know them—I have an 18-year-old at home—we are not moving with the urgency still that I think is needed.

And implementation matters, you know that. And a lot of folks are not seeing the change they need immediately. So, again, I am here as a partner.

Mr. REGAN. Yes.

Ms. TLAIB. And I am here to bring those folks and those residents at the table with you.

Thank you so much. I yield.

Mr. REGAN. Thank you.

Chairman COMER. And I might add, we have gone on our side over about a minute and 45 seconds, and I have agreed to yield that much time to the ranking member to get caught up, and then we will proceed with the majority.

Mr. RASKIN. Thank you kindly, Mr. Chairman.



And I wanted to pose one question to Ms. Tlaib and then one to the Administrator.

You just made a very eloquent and passionate brief on behalf of the significance of enforcement, aggressive Agency enforcement of the rules that we have under Federal legislation.

The Project 2025 plan that everybody is talking about, and our friend and colleague from North Carolina, Ms. Foxx, talked about the importance of deregulation, that is, loosening up regulation. And I wonder what you would say about that in general.

And then also, specifically about deregulation of corporations at a time that we are also hearing from our friends about the importance of regulating women's bodies and women's choices, with one-third of American women not being able to get access to an abortion in America and also further crack down on birth control and IVF and so on.

Ms. TLAIB. No, Ranking Member Raskin, it is bizarre. Even today, you know, thinking about the fact that they consistently want to regulate the bodies of women, but also even the fact that our bodies are more regulated than even around the gun crisis.

Around the fact that, right now, many of our constituents and our families continue to say to me, we have a right to breathe clean air, right? We have a right to access clean water, right? Rashida, why is—why are we not working toward that?

To allow corporations to have a free will of going ahead—because let me tell you, I do not care if you are a red or blue state, they will poison your residents if you let them. They will. And so, you know, shame on those that continue to promote this Project 2025. And, again, the sense that corporations have all this free will, and they do not care about our public health. They care about the bottom line. They care about profiting off of the pollution they spew out to residents, especially ones that are currently struggling to even access healthcare right now.

Mr. RASKIN. Thank you very much. I appreciate that.

I will have to question you later, Mr. Administrator.

Chairman COMER. The gentleman's time is expired.

The Chair now recognizes the gentleman from Florida, who I have read is on the short list to be potentially the next Vice President of the United States, Mr. Donalds, for 5 minutes.

Mr. DONALDS. Thank you, Mr. Chairman.

Ambassador Regan, thank you for being here.

Earlier this year, the D.C. circuits—the D.C. District Court here actually invalidated EPA's designation that allowed the state of Florida to process Clean Water Act permit applications, a process that has been in place for the last 3 years.

Our concern, obviously, in the Sunshine State is that EPA agreed to essentially give us primacy in going through that permit process as opposed to having to go through the Army Corps of Engineers.

In short, does the EPA still stand beside the decision to give the state of Florida primacy with respect to proceeding with 404 permits for the Clean Water Act and Endangered Species Act?

Mr. REGAN. I believe that is the case, but let me circle back before I give you a definitive answer on where we are with that process.

Mr. DONALDS. You believe you are still with us or you are not? I want to make sure I get it clear.

Mr. REGAN. Yes. I believe we are still following what the court has told us we should do, which I know there was a court ruling and I know there was some consternation there. So, let me circle back with you to see exactly where we are on that case.

Mr. DONALDS. OK. The reason why I bring it up, and it is important for our state, since we have taken over that process from the Army Corps, permit applications have—in terms of time, have decreased from roughly around 2 years to 6 months.

Obviously, the Sunshine State is, if not the fastest growing state in the country, one of the fastest growing states in the country for a myriad of reasons.

So, our ability to process these permits where, yes, we do have a lot of waterways that are critical to the ecosystem of Florida—we take that very seriously in my state—but I think it is important that, whether it is Florida or any other state that has that flexibility, that you do have state administrators and state personnel with respect to environmental protection who do take this incredibly seriously and being able to partner with EPA in order to be able to still process these applications that are important for our economy as well as our environment.

That is something critical for us going forward. I hope that the EPA agrees with that.

Mr. REGAN. Absolutely. And as a former state regulator, I definitely understand the importance of the delegated authority. And I believe how we got to this situation where there were some concerns about the administration of the program, and I do not know if we resolved those or not, but I think the court has spoken on that. And so, I will circle back with you to see where we are on that.

Mr. DONALDS. OK. All right. Thank you for that.

I want to switch gears. Obviously, the EPA came out with the Clean Power Plan 2.0. My concerns are with a couple of things but, primarily, 60 percent of all electricity generation in the United States comes from coal and natural gas. Under the EPA's Clean Power Plan 2.0, essentially coal will be regulated out of existence and there will be additional burdens put on new natural gas plants that may or may not come online in the United States.

Considering your previous statements about wanting to make sure—in this hearing, that wanting to make sure that nobody is—nobody in our country is left behind when it comes to having a clean environment and clean water, clean air, et cetera, for our citizens, is it not also a concern that if that plan goes into effect and the power generation that we typically use right now would go away, that electricity prices would skyrocket on poor families, whether they may be Black families, Hispanic families, White families, that their cost would go up exorbitantly under that same plan? Would they not be left behind by the Clean Power Plan?

Mr. REGAN. Well, we spent a lot of time with the industry, with the grid operators, and here are the facts from our vantage point: (1) These control technologies do not have to be put in until 2031, 2032, so we are talking about some time down the road; (2) All of our cost estimates say that the actions we are taking will only po-

tentially increase price by less than one percent; and (3) That the approach we are taking, because of the diligence that we have done, will not have any impact on reliability.

To the point we were just discussing, this national rule is delegated to the states, and each state will design a state implementation plan that gives it flexibility on how it reaches these goals.

Mr. DONALDS. Administrator, I got to cut you down, because we got 20 seconds, congressional hearings.

Mr. REGAN. Yes.

Mr. DONALDS. I am going to respond with this: whenever we get information from experts who say that costs will be contained in a certain strata, that typically is not the case. Even with the tax credits, with the Inflation Reduction Act, CBO said it would cost around \$260 billion. Wall Street is saying the value of those credits is upwards of 1.3 trillion and higher.

So, when you say that essentially regulating out coal and some aspects of natural gas in the United States will only lead to a one-percent increase in electricity cost, that simply does not add up. And at the end of the day, whether it is 2024 or 2032, it is poor people in this country who are going to be left behind by that type of proposal.

Chairman, I am over my time. I yield back.

Chairman COMER. The gentleman yields back.

The Chair now recognizes Ms. Pressley from Massachusetts.

Ms. PRESSLEY. Thank you, Administrator Regan.

You know, the kids say, it is 7 p.m. on Friday, 95 degrees, and that is because the climate crisis is real and it is here. Climate change is not an abstract problem for people of a far-away future to solve. No one knows that better than our youth. And I know you agree because, under your leadership, EPA created the first of its kind National Environmental Youth Advisory Council. And I am proud that Osasenaga Idahor, one of my constituents from Hyde Park, is a member. Voices like his are essential to addressing this crisis.

So, when my colleagues across the aisle use platforms like this hearing to pretend that climate change is some hoax, I cannot help but think about the stories I hear from our youth when I am back home.

Administrator Regan, are you familiar with urban heat islands?

Mr. REGAN. Yes, I am.

Ms. PRESSLEY. EPA reviewed several studies and found that some communities in the United States, particularly those that are low income and with higher populations of people of color, have neighborhoods with higher temperatures compared to the surrounding areas.

Take, for example, the district I represent, the Massachusetts Seventh, where my constituents have been under constant heat advisories and feeling the consequences of urban heat islands on a daily basis this summer.

The city of Chelsea, a predominantly Hispanic community in my district, can be 10 to 15 degrees hotter than neighboring communities in the Boston area on a given day.

Administrator Regan, what are some of the primary causes of urban heat islands?

Mr. REGAN. Well, as we see a change in climate and intensity in heat, obviously, when you lack natural spaces, natural resources, trees, grass and the like, that heat just concentrates in the concrete and in the buildings. You also typically have these urban areas that may or may not be blocked by downwinds because of a mountain.

So, in these isolated areas, all you have is a concentration of heat disproportionately impacting people who are already suffering. And you are exacerbating respiratory illnesses, asthma, and other illnesses. And so, we have been working hard, especially thanks to your leadership and the President's leadership.

And you look in the Inflation Reduction Act, that provides grant resources for cooling centers, for safe havens for our elderly or for our children to go to if they are living in some of these urban areas.

It is 10 to 15 degrees more in your state. It is 10 to 15 degrees more in Atlanta. We have got these situations going on all across the country and, unfortunately, those who can afford it the most are getting hit the hardest.

Ms. PRESSLEY. Yes. And I will just add, that is exactly why we knew anecdotally what communities would be hardest hit during the pandemic. It was a perfect overlay of heat maps with those communities that had the highest rate of COVID infections, hospitalizations, and fatalities.

It is no accident that communities experiencing the worst of these causes are the same ones that have been on the front lines of historic inequities. Racist policies like redlining, where lenders would literally draw a red line around neighborhoods to deny services like mortgages and loans to Black and Brown folks wanting to move in, have made it more likely for communities of color to be situated in formerly industrial areas that have more heat-trapping concrete and less tree cover.

At the same time, folks living in these neighborhoods are also more likely to struggle with asthma, cardiovascular diseases, and other complex medical conditions that turn more deadly in the heat. In 2023 alone, we saw a record 2,300 people died due to excess heat, a figure that is considered an undercount by experts.

So, yes, environmental justice and health equity go hand-in-hand. The Biden-Harris Administration has recognized this by delivering \$2 billion in funding to Climate Justice Community Change Grants.

Administrator Regan, how will these new grants help communities like those that I represent in the MA-7 address the health risk associated with heat islands?

Mr. REGAN. There are significant opportunities. And the good part about it is that these solutions do not have to come top down. They are coming from the bottom up. These communities have had these solutions. And if they have more access to solar energy, they will not be afraid to run their air-conditioning. The bills will be lower, and they will be healthier inside.

Like I said earlier, if they can invest in cooling centers and have safe havens and safe places for their constituents—your constituents to go, that is a game changer.

They have also—many cities have thought about creative things, like painting the tops of buildings and—with reflective light that

push that heat back, or thinking about what type of material they use for their sidewalks.

There are a lot of innovative ideas by young people, by people who have been thinking about this for a long period of time. They are competing for our grants. We are giving them the resources, and they are creating solutions for their communities.

Ms. PRESSLEY. Thank you. I look forward to continuing to work with you, Administrator Regan, and the Office of Environmental Justice and External Civil Rights to protect these investments and ensuring communities have the resources they need to address these threats.

Thank you. I yield back.

Mr. REGAN. Thank you.

Chairman COMER. The gentlelady yields back.

The Chair now recognizes Mr. Burchett from Tennessee.

Mr. BURCHETT. Thank you, Mr. Chairman.

Mr. Regan, some of these things have been asked before, but as the 435th most powerful Member of Congress, sometimes they get to me a little late, so I am going to ask them again. And I would appreciate you giving good answers for my folks back in Tennessee.

There have been some tests—you all have issued some rules targeting numerous sectors, substantially increasing the cost. For example, you all's rule on lime manufacturing plants imposes costs of 2.5 billion on a small industry with a 2.3 billion in revenue.

Do you all think it is necessary, considering your own scientists determined emissions from lime plants are acceptable with ample margins of safety?

Mr. REGAN. I think the rule that has been proposed is done in a way that we believe maximizes protection from an environmental health standpoint. But as I mentioned to a colleague earlier, this is something that I would love for our staffs to have a conversation about to be sure that we are all on the same page in terms of the direction that we are going.

Mr. BURCHETT. I would like that a lot. A lot of folks in my area, this could be very damning for them.

When you testified before the House Science Committee last September, you said about the lime rule: I think what we want to do is to ensure that we are meeting the letter of the law with as much flexibility as possible.

Does that sound accurate to you?

Mr. REGAN. Yes, that is the goal.

Mr. BURCHETT. OK. Well, let me ask you then, why did you all disregard the Small Business Administration's recommendations for more timely and flexibility when issuing the lime rule?

Mr. REGAN. Well, I am not quite sure if we ignored the Small Business' regulation, but, again, that is something that I would love to have a discussion about to see if we are on the same page there.

Mr. BURCHETT. And I would appreciate you getting back to me on that. If you do, I would appreciate that.

Mr. REGAN. Absolutely.

Mr. BURCHETT. Can you explain how increases in compliance costs impact businesses that are trying to stay afloat in today's already challenging economic circumstances?

Mr. REGAN. Well, compliance complexity can be looked at a few ways. I think that what we try to do is evaluate and analyze the administrative burden and the compliance burden of any of our rules. And we weigh that against the opportunities for these companies to invest in new technologies that might provide efficiencies in some other areas while also lowering the pollution burden on the environment and individuals. So, we take a look at all of it and try to come out with a win-win-win.

Mr. BURCHETT. Let me follow-up on that. Did your Agency engage with stakeholders at all levels to determine exactly what the impact of these regulations would be for businesses of all sizes and for the folks that they serve?

Mr. REGAN. We do. Typically, we engage with all of our stakeholders numerous times, privately and in public venues.

Mr. BURCHETT. Is the public venues like a hearing type of situation?

Mr. REGAN.

[No verbal response.]

Mr. BURCHETT. OK. Witnesses warned us that—this Committee—that if the Biden Administration continues at the Obama Administration's regulatory pace for 8 more years, the cost of these rulemakings could exceed \$60,000 per household. \$60,000.

What impact do you think that would have on low-and middle-class Americans?

Mr. REGAN. I am not sure that I agree with the \$60,000 number. It just does not comport with our analytics.

Listen, in many regards for some of the things that we proposed that some have said increase cost, we actually will see lower cost, lower prices, whether that is the entity that we are regulating or the health benefits that surrounding communities may pay.

One example is thinking about the HON rule and looking at—for some of our chemical facilities for less than one percent—

Mr. BURCHETT. The what rule?

Mr. REGAN. The HON rule. For less than 1 percent, they can invest in a control technology that will lower cancer risk by 96 percent.

There is a lot of regulations that we have that we see significant cost-benefit opportunities but seem to be distorted when we have these conversations.

Mr. BURCHETT. Sure. I would warn you, though, you know, if it was—if we wanted to save lives, we would just bring the speed limit down to 15 miles an hour and tell everybody to, you know, drive a moped or something because, I mean, there would still be the cost associated with all that.

And the cost avoidance, of course, is always something to take into consideration. But I think the taxpayers in this case are going to be left holding the bag. And I am very much aware of that situation, so—but thank you very much for being here.

And I yield, Mr. Chairman. Thank you.

Chairman COMER. Thank you.

The Chair now recognizes Ms. Crockett from Texas for 5 minutes.

Ms. CROCKETT. Thank you so much, Mr. Chair.

And thank you so much, Mr. Administrator, for being here.

First, I just have to again send love to Dr. Nance, who is my Regional Administrator. She and I love to go and give big checks in my district. So, I appreciate her so very much.

I also want to make sure that I level set, because I thought it was interesting that we were having an EPA hearing, considering the fact that some people in this chamber do not believe in this thing called climate change. So, I just wanted to level set really quickly with you and find out from you if you believe that climate change is real or a hoax.

Mr. REGAN. Climate change is very real.

Ms. CROCKETT. OK. Thank you so much. I thought you may say that.

And interestingly enough, you know, I am sure that there are those in this country that are looking for those Nixon Republicans, those Republicans that simply just wanted to do the work of the people and were not about sending out misinformation, disinformation, and continuously trying to undermine our Federal Government agencies that are trying to do everything that they can to protect the people.

When we look at the Supreme Court and their recent ruling, again, they chose not to protect the American people. But hopefully, we would get people in the legislature and maybe we can get some legislation on the books to combat what the Supreme Court did so that we can get back to the business of protecting people.

The reason that I bring Nixon up is because it was President Nixon, a Republican, who spearheaded the EPA's creation at a time where our country and communities were facing deteriorating air qualities in cities where there was rampant pollution in our neighborhoods and when urban water supplies were constantly being contaminated with dangerous toxins. I just would imagine that President Nixon would never stand for Project 2025, which wants to do the complete opposite of that.

In addition, you know, there is a lot of conversation around rolling back regulations. My colleagues continuously talk about rolling back regulations and not really understanding the importance of these guardrails. And so, I just want you to listen to a situation that technically impacted your agency.

In 2018, Trump made sure that he scrapped a 2015 Obama-era rule requiring advanced braking technology on trains transporting particularly hazardous materials. That rule would have required compliance by certain trains by 2021 and others by 2023, but as Fortune reported at the time, Trump's Department of Transportation decided that the cost of installing these more sophisticated brakes outweighed the benefit.

While it has been noted that technically the rule would not have required the Norfolk Southern train that derailed in Ohio to have such brakes, some believe it would have if not for Trump.

Norfolk Southern estimates that it will spend more than \$1 billion to address the contamination caused by the East Palestine derailment and improve rail safety and operations, which includes the settlement with the United States valued at over \$310 million, as well as around \$780 million in environmental.

Regulations are made to protect people from potential disasters such as this. And I can pretty much probably guess that the people

of East Palestine would have preferred that there would have been some protections that would have kept them from enduring that terrible situation. But I want to talk about a few other things, and then I will let you go.

There has been all this talk about the money that you are getting and all this talk about our debt. I just want to remind my colleagues that it is factual, it can be looked up, under 4 years of the Trump Administration, unlike any other administration in the history of this country, they somehow managed to rack up \$8 trillion in debt in 4 years.

But to be clear, in racking up that debt, it was not because they were trying to take care of agencies such as yours that are trying to protect people and make sure that they have clean air, clean water, clean soil. It was so that the rich one-percenters could have their tax cut.

And, again, Project 2025 is about making sure that those tax cuts that will expire in 2025, that they will get those back again. Again, they do not want to take care of the people, and it is OK to have debt in this country so long as the one-percenters get what they want. I just want to lay that out.

Finally, when we look at where this money is going from this Administration, Rep. Jordan's district got 500,000. The Chair's district got about 1.6 million in EPA grants. Rep. Greene's district got 500,000, Rep. Luna's district got 300,000, and Rep. Perry's district got a million dollars.

So, for Republicans that may feel a way about EPA and it allegedly pushing a woke agenda, I just want to know, can we get the money back?

I will yield.

Chairman COMER. The Chair now recognizes Ms. Boebert from Colorado for 5 minutes.

Ms. BOEBERT. Thank you, Mr. Chairman.

Administrator Regan, is it true that the EPA has never obtained formal authorization legislation from Congress?

Mr. REGAN. I am sorry?

Ms. BOEBERT. Is it true that the EPA has never obtained formal legislation—authorization legislation from Congress? It has never been authorized by Congress?

Mr. REGAN. EPA is not authorized by Congress?

Ms. BOEBERT. I am asking you.

Mr. REGAN. I thought EPA was authorized by Congress.

Ms. BOEBERT. Well, the EPA is not. The EPA has never been formally authorized by Congress. However, this agency has imposed over \$1.3 trillion in regulatory costs since the Biden regime took office.

We authorize Committees here in Congress to ensure that we have proper oversight and accountability in the functioning of the executive branch. And this process is extremely vital, because often we see agencies abuse the separation of powers, creating rules and laws, regulations without consent of Congress.

And we appropriate funds to agencies like the EPA and expect these tax dollars—this tax dollar funding to be used in accordance with the legislative priorities and comply with the oversight requirement.



So, Mr. Regan, last month, the Supreme Court rightly overturned the Chevron doctrine which the EPA relied on to support its very controversial and costly rulemakings.

Since your agency has never been authorized by Congress and has since lost most legal standing, does your agency still plan to enable rogue bureaucrats to enact unconstitutional regulations?

Mr. REGAN. I am not quite sure I follow you. You are saying that—

Ms. BOEBERT. I am saying the Chevron doctrine was overturned by the Supreme Court.

Mr. REGAN. We have no authority?

Ms. BOEBERT. I am saying you have never been authorized—wait. Hold on.

Mr. REGAN. Congress does not delegate authority for us to do the regulations and the business and the policy. So, since 1970—

Ms. BOEBERT. So, the Chevron doctrine, where you have created all of these rules under that have been proven to be unconstitutional by the Supreme Court has been overruled.

So, now I am asking, are your bureaucrats still going to implement these rulemaking processes?

Mr. REGAN. You do know Chevron is not just focused on EPA. So—

Ms. BOEBERT. But you are. So, I am asking about the EPA, and I am asking about your rogue bureaucrats that have enacted these unconstitutional regulations. Are you going to repeal them? Are you going to continue to implement them or are you going to stop altogether, since it has been overturned?

Mr. REGAN. Do you understand the ruling?

Ms. BOEBERT. Do you understand the ruling—

Mr. REGAN. I do.

Ms. BOEBERT [continuing]. Of the Supreme Court?

Mr. REGAN. I do. So, your question is ill-formed. No—

Ms. BOEBERT. Will you be repealing—

Mr. REGAN [continuing]. We are not going to stop—

Ms. BOEBERT. So, you are going to unconstitutionally continue with these rulemakings in the EPA.

Mr. REGAN. We are going to adhere—we are going to adhere to the Supreme Court and continue to do our—

Ms. BOEBERT. So, which rulemakings are you going to roll back?

Mr. REGAN. We are going to adhere to the Supreme Court and continue to do our work in accordance to the Supreme Court. The Supreme Court made a ruling.

Ms. BOEBERT. And which ones are you going to repeal?

Mr. REGAN. The Supreme Court didn't tell us to repeal anything.

Ms. BOEBERT. They have been deemed unconstitutional.

Mr. REGAN. No.

Ms. BOEBERT. Absolutely, they have. This was a huge victory. And, you know, I mean, even in our appropriations bill in the House this year, the funding has been reduced by 20 percent. I would argue that it needs to be reduced by 100 percent.

But in this, it is because of these radical Green New Deal policies that jeopardize domestic energy development and overload America's power grid and raise costs on American consumers and businesses.

So, with the EPA and these overreaching regulations, do you have any intent on working with the House majority to lower energy costs and produce more reliable and affordable energy?

Mr. REGAN. If you look at our rule, we are producing reliable, affordable, diverse—

Ms. BOEBERT. I think Americans' wallets would disagree with that. I mean, the Biden Administration, if they continue under Obama's administrative policies, this regulatory pace for a full 8 years, the cumulative costs of this Administration's rulemakings would exceed \$60,000 per household. And as you know, the Biden Administration reversed President Trump's successful deregulation by executive order. So, the Biden regime is on pace of increasing regulatory costs at a rate of \$617 billion per year in just rule-making, rulemaking that we are seeing is unconstitutional.

Mr. REGAN. This is shocking. You spent so much time with our regional staff and our regional administration at Region 8 and have such productive conversations about how we are doing things for your district and your state, and then you take this microphone and you pretend—

Ms. BOEBERT. I have also seen—

Mr. REGAN [continuing]. And pretend that we should not exist—

Ms. BOEBERT [continuing]. The coal plants that have been decommissioned in my state.

Mr. REGAN [continuing]. So, 100 percent we should not exist?

Ms. BOEBERT. I have seen the energy regulations that have regulated my district into poverty. So, sir—

Mr. REGAN. You spent time with my staff in your district—

Ms. BOEBERT. Of course, I am. I have oversight over your staff, and I want them to answer.

Mr. REGAN [continuing]. Complimenting them—

Ms. BOEBERT. I want them to provide a service for the American people.

Mr. REGAN [continuing]. Complimenting them about their partnerships.

Ms. BOEBERT. But there is so much—yes, there are some things that have been done well, but not everything.

Mr. REGAN. But we should be 100 percent removed?

Ms. BOEBERT. When we have \$617 billion per year in rule-making, that is absolutely absurd. When you are taking our affordable clean energy and regulating it out of existence and killing these good-paying jobs in my district, yes, I have a problem with that.

Mr. REGAN. Sure, yes.

Ms. BOEBERT. My time has expired, and I yield.

Mr. REGAN. Yes.

Mr. RASKIN. Mr. Chairman, I think that was 46 seconds over, so we will take that.

Chairman COMER. Mr. Raskin, if we are going to start timing people over, then you are going to have to start editing your comments on your opening statements and everything else, but I will do that.

Mr. RASKIN. Thank you kindly.

Chairman COMER. All right. The Chair recognizes Mr. Goldman from New York.

Mr. GOLDMAN. Wow. Mr. Regan, I do not want to spend too much time on this, but I would just like to clarify a few things for my colleague from Colorado.

The Loper Bright ruling, as you know, said that the courts should not defer to agency rulemaking if a statute is ambiguous and, instead, the courts get to determine whether or not what the statute means.

Is that your understanding as well?

Mr. REGAN. Absolutely.

Mr. GOLDMAN. OK. So, that would not require any regulations to be reversed or overturned, correct?

Mr. REGAN. Correct.

Mr. GOLDMAN. But I do want to talk about that case, because it is an incredible power grab for the judiciary, and I want to go through a couple of things with you.

I am going to take as one example a recent rule that the EPA implemented and finalized in March, the greenhouse gas emission standards for heavy-duty vehicles, which is—I think you have put it as the strongest national greenhouse gas standard for heavy-duty vehicles in history, and one that would have a significant impact on my district, one of the most densely populated districts in the country, where there is a lot of last mile delivery facilities and operations that create a tremendous amount of greenhouse gases.

Can you just very briefly, just for timing's sake, explain the process that the EPA goes through to—and what kind of expert analysis is used to final—and what kind of input is implemented to finalize a rule like this?

Mr. REGAN. Well, you know, we have some of the world's best engineers and scientists who focus on these rules, and typically, and especially in our Ann Arbor laboratory, our world-renowned laboratory, we invite in all of our stakeholders, all of the industry, the best manufacturers, the best engineers and scientists, and we go through simulations and really look at what would happen in the real world if we were to pursue some of these regulations.

So, we take our scientists, match them with the world's best scientists on the private sector side, and then we look at how we can build on the regulations that preceded the one that we are about to put in place.

But we also look at a cost-benefit analysis, and we look at penetration rates. We look at the market, and we best determine how can we put the best technology on the road that keeps this country globally competitive and also reduce the pollution that we are aiming for.

Mr. GOLDMAN. That is—thank you for the explanation—quite a in depth and detailed, lengthy process involving the world's greatest experts.

In that room with the world's greatest experts and the EPA experts, are there any Federal judges?

Mr. REGAN. No.

Mr. GOLDMAN. So, what the Supreme Court just did, am I correct, is say that the experts should not get any deference in how they implement the rulemaking process but that the nonexperts in

the judiciary are the ones who get to do that? Is that your understanding?

Mr. REGAN. Well, I will be careful in commenting on this ruling, but what I can say is the experts that are in the room and myself and the CEOs that are in the room that are making these decisions, this new case seems to take that away from us and gives it to the court.

Mr. GOLDMAN. Exactly. A complete power grab that was led for many years, decades, by the Koch brothers, who have spent tens of millions of dollars in trying to overturn this Chevron doctrine in order to benefit their oil and gas and other industries that harm the environment.

And you know what is interesting about this case, this Loper Bright case, is that Clarence Thomas did not recuse himself. He ruled on it. And yet, Clarence Thomas took free private flights, paid for by the Koch brothers, went to their events, raised money for them. This is all documented.

And then after that, in 2020, Clarence Thomas just completely reversed his view of this Chevron doctrine. Funny. Convenient. And yet, he is ruling on this case.

And what is going to happen is that this Trump Project 2025, just like Ms. Boebert said, is going to try to eliminate all environmental regulations. Donald Trump has offered to do that for the oil and gas company if their industry leaders can provide him with \$1 billion to help in his campaign. But now that he has absolute immunity, if he becomes President, he cannot get charged for that obvious criminal public corruption violation. And so, he is going to try to implement Project 2025, eliminate the EPA, eliminate climate change from all regulations, eliminate the experts at the EPA and other agencies and put in his political lackeys, and then get to go to Clarence Thomas to determine whether or not what the executive agencies decided makes any sense.

This is the destruction of our democracy.

And I yield back.

Chairman COMER. The gentleman yields back, ate up Mr. Raskin's 45 seconds.

But the Chair now recognizes Ms. Greene from Georgia.

Ms. GREENE. Thank you, Mr. Chairman.

Americans have been enslaved in \$34.8 trillion in debt, and one of the reasons is because of the reckless spending of the Biden Administration, all due to climate cultist beliefs that they have got to regulate and spend hard-earned tax dollars in order to control the climate.

The Biden Administration's cumulative new regulatory costs imposed surpass all of his predecessors. According to analysis of the Administration's own published cost estimates, as of May 17, 2024, the Administration had already imposed 1.6 trillion in new regulatory costs. That 1.6 trillion is almost the entire budget for 1 year for the Federal Government. These costs are several times higher than the costs imposed during the entire 8 years of the Obama Administration, and they are over 1.7 trillion greater than those imposed during the Trump Administration.

As of May 2024, the EPA had on its own imposed 1.3 trillion of the Biden Administration's total new regulatory costs, over 80 per-

cent. An estimated 870 billion of these costs are attributable to the EPA's light-and medium-duty EV rule. But even the remaining 400-plus billion in new costs are substantially equivalent to all new regulatory costs imposed through the Obama Administration.

Mr. Regan, you unveiled a new rule this year, a climate regulation. The rule is designed to ensure that the majority of new passenger cars and light trucks sold in the United States are all electric or hybrids by 2032. That is approximately 8 years from now. This is an absurd regulation on tailpipe emissions limits imposed by the EPA.

Inflation is so high right now, so high. Many Americans are not able to even buy a new car right now. They are not able to buy a home. They can hardly afford their rent. I know many senior citizens in my district are having to choose between rent and being able to pay for their medications.

This is absolutely unreal that this would be a rule imposed on Americans to the point where they would have—within 8 years, are they even going to be able to buy a car? Think about that. Think about hardworking families, parents both working, with their kids. They are just trying to get through life. And this rule that you have imposed is going to force them to have—because of the tailpipe emissions—have to buy an electric vehicle.

I do not think many Americans are going to be able to do that, and it is going to drastically, drastically crush Americans who, by the way, pay your paycheck, pay my paycheck, pay for this Federal Government. It is outrageous.

Right now, we have an “EV euphoria is dead. Automakers are scaling back or delaying their electric vehicle plans.” 7.6 of new cars and trucks sold are electric vehicles, because nobody wants them.

And then let us add on the reality of electric vehicles. Electric vehicles add 1,000 pounds or more per vehicle. That causes damage to roads, bridges, and parking garages.

I want you all to imagine for just 1 minute a parking garage that has been built to hold the weight of combustion engine cars and trucks. And imagine a parking garage filled with electric vehicles. It cannot sustain that weight, and neither can many roads and bridges.

Electric vehicles are too heavy. There is 2,000 pounds in 1 ton. The Delaware Bridge, for example, has a weight limit of 3 tons. So, there is several EVs on the market right now that already exceed that limit for that bridge, for that one bridge. One of the electric vehicles exceeds the limit, the weight limit for that bridge. Tesla Model X, Audi e-tron, BMW, e-Hummer, and Rivian, some of these electric vehicles exceed 8,000-pound limits on some of these roads.

Because of the rules that you are imposing, this is going to crush Americans' ability to even be able to afford a car and send us back into the time before people could afford cars, and I cannot even imagine that.

In Georgia alone, we had the electric vehicle car Rivian. They are now delaying construction of a \$5 billion factory in Georgia.

This is a complete catastrophe, Mr. Regan. It is a complete catastrophe, and it needs to be undone. The EPA regulations are

unsustainable for Americans. And believe me, Republicans want clean air and water too, but the climate cult has got to end.

Thank you, Mr. Chairman.

Chairman COMER. Thank you, lady from Georgia.

Now the Chair recognizes our energy expert, Mr. Fallon from Texas.

Mr. FALLON. Thank you, Mr. Chairman.

Listen, I do not want to plow our fields that have already been tilled, Mr. Regan, so I am going to keep things simple. I want to start with just speaking with you, having an exchange philosophically.

You would agree that we—and this is real basic stuff. You would agree we live in a representative republic, correct?

Mr. REGAN. I am sorry?

Mr. FALLON. We live in a representative republic—

Mr. REGAN. Yes.

Mr. FALLON [continuing]. Philosophically?

I agree with you. So, which do you believe, given a binary choice, should have more legal weight and be held in higher regard, choices A and B? A, laws passed by Congress, the folks that are elected by the people, and then signed by the President. So, that is choice A. Or, B, a rule imposed by unelected bureaucrats. What do you think should have more legal weight and held in high regard, A or B?

Mr. REGAN. I like the system that we have.

Mr. FALLON. So, do you want to answer, A or B?

Mr. REGAN. Congress writes the laws, the President signs it in, and we implement them.

Mr. FALLON. So, you agree then that a law should have more weight than a rule?

Mr. REGAN. I am sorry?

Mr. FALLON. You would agree then that a law should have more weight than a rule, have more legal standing?

Mr. REGAN. The rules are designed under the auspice of the law.

Mr. FALLON. OK. So, we are not going to get an answer.

So, you know, I think it is obvious—

Mr. REGAN. That is not binary.

Mr. FALLON. Well, I think it is obvious that we are a—if we are not a rule of law Nation and if the rule of law does not prevail and the laws of rules prevail, then our Republic is in dire jeopardy.

Administrator, the EPA under your direction, would you describe it as—do you think that you all have shown restraint and balance or have you repeatedly seriously overreached?

Mr. REGAN. No, I think we have shown balance and an aggressive approach to tackling some of the biggest challenges that our country faces.

Mr. FALLON. OK. So, you have shown—in your opinion, you have shown restraint and balance.

What I find interesting about that is that under your tutelage, the EPA has imposed \$1.6 trillion of new Federal regulatory costs, and those are estimates that your own department has published. The prior Administration cut costs by \$160 billion. And this is what I find even more interesting. In the EPA, these regulatory costs—there is one agency in less than 4 years has imposed more costs

than the entire Federal Government did under the 8 years of, of all things, the Obama Administration.

So, again, changing gears, keeping things simple, the Environmental Protection Agency, which leads me, and I am sure many others, to presume that your job is to protect the environment.

Mr. REGAN. And public health.

Mr. FALLON. OK. I looked up what environment—the definition, and it says, complex of physical, chemical, and biotic factors, such as climate, soil, living things—makes sense—that act upon an organism or an ecological community.

OK. So, I am troubled when—and I did watch the exchange. I was not here, but I was up in my office, and I watched the exchange between you and, at the time, Chair Mace, where she was talking to you about an outfit called the Climate Justice Alliance.

And, of course, I think that \$50 million is a lot of money, and it does not have anything whatsoever to do with protecting the environment, Free Palestine, Defund the Police, those certain things. And you said, when she asked her—you said and insisted under oath that they had not received a penny from the EPA. Is that correct?

Mr. REGAN. That is correct.

Mr. FALLON. OK. But when I heard you and when I heard her, the exchange, it seemed to me you were saying they have not yet received a penny. And then she asked you—and I would like to give you the opportunity now to clarify because I was very interested in the response. She asked you to commit right now to guaranteeing that, while you are the EPA Administrator, that they will never receive a penny.

Mr. REGAN. And I appreciate you giving me the opportunity to say, because of some of the things that were said that I think we all agree are offensive, I have to legally go through a process to ensure that they either are in or out of the bounds. Because there is going to be litigation one way or another. And so, what I said was—she did not give me the time, so I am glad you are—they have not received any money yet. They are going through a very thorough evaluation.

Mr. FALLON. Thorough, like the things—when administrators say robust, I get scared.

Mr. REGAN. And we have yet to make that decision.

Mr. FALLON. OK. So, you cannot guarantee us that that kind of an outfit, the Climate Justice Alliance, which has nothing to do with protecting the environment but everything to do with protecting far leftist political fortunes, may actually get that \$50 million?

Mr. REGAN. Well, listen, I do not want to get into the hypotheticals, but—

Mr. FALLON. Can you answer—we only have 10 seconds left—that you would agree that you would not like to see an outfit like the Climate Justice Alliance get any money? Can you even at least go that far?

Mr. REGAN. I would not like to see any organization—

Mr. FALLON. Including Climate Justice Alliance?

Mr. REGAN [continuing]. That expresses bigotry or any kind of racist behavior or discrimination, I would not like to see any orga-

nization get any money from the Federal Government. It is abhorrent.

Mr. FALLON. So, can we work together in making sure they do not get any money? You have got a whole line of people behind you, like 14 I think is what I counted.

Mr. REGAN. Yes. Yes.

Mr. FALLON. That would be awesome.

Mr. REGAN. We have got a lot—I have got a lot of people behind me. I have got my general counsel. I have got the program looking into the options that I have—

Mr. FALLON. I hope we all work together as a team, because it is a—

Mr. REGAN [continuing]. To not give that grant.

Mr. FALLON. Thank you, Mr. Administrator. I appreciate it.

Mr. Chairman, I yield back.

Chairman COMER. The gentleman yields back.

The Chair now recognizes Mr. Fry from South Carolina.

Mr. FRY. Thank you, Mr. Chairman.

Administrator, thank you for being here.

I want to begin with an item of great importance, at least to the people of South Carolina in the Pee Dee region. As you may know, Galey and Lord—about the Galey and Lord Plant site which sits along the Cedar Creek and the Great Pee Dee River in Society Hill, South Carolina. It was abandoned in 2016.

Mr. Administrator, Galey and Lord is a former textile plant that began operations in 1966. PFOS, dyes, and heavy metals have since contaminated the soils, the wetlands around the site, the waterways around the plant. Hurricane Florence most recently also caused a release of wastewater to nearby Cedar Creek into the Great Pee Dee River in 2018, further posing damage to my constituents.

After a voluntary cleanup contract was terminated in 2017, it took the EPA 2 additional years to remove the site's 2,400 abandoned containers, including 100,000 gallons and 53,000 pounds of liquid waste. Galey and Lord was finally added to the EPA's Superfund National Priorities List in March 2022.

Still, I have serious concerns about the timeliness of EPA's actions in Society Hill. After visiting Society Hill just last week, I have difficulty believing that tangible steps have been taken to address the issue.

Administrator, I understand the site's remedial investigation and feasibility study was made possible after this priority listing in 2022. Can you describe this investigation and any subsequent actions the EPA has taken since that time?

Mr. REGAN. Yes. I can say that we are working very aggressively to—you know, it is on the Superfund priority site. And the ultimate goal that we share is to make this economically viable, a commercial industrial property in the community again. Fuel sampling is anticipated to begin later this year. I think that we have more resources due to the Bipartisan Infrastructure Law, that \$5 billion focused on Superfund and brownfields. So, we have more resources. This is a priority, and I think that you will see us moving much quicker than we have in the past.

Mr. FRY. Thank you.



What is the timeline or estimated completion date that you believe exists?

Mr. REGAN. Let me get you that. I do not have that timeline in front of me, but I do not mind being transparent and sharing that with you.

Mr. FRY. Thank you. I do appreciate that.

How do you suggest the small town of Society Hill—they have got about a thousand residents. How do you suggest that they would deal with this over the course of such a long period of time?

Mr. REGAN. Listen, it is tough. We have seen this all across the country. It is unfair. It is a burden. It lowers morale. It lowers property values. And so, we understand the sense of urgency that we need to take. And, you know, the hard part is living with this before it is listed on the NPL list or it is listed. Once it is listed, it moves much quicker. It is going to move even quicker because we have the Bipartisan Infrastructure Law resources. So, it is a weight on the community, and we are very sensitive to that.

Mr. FRY. Thank you for that.

And just curious. I mean, I had the opportunity last week to visit it. I mean, it just looks like a war zone. I mean, the plants have burned twice. I think it is twice. Maybe even more. There are giant holes in the sides of the buildings. It is completely overgrown. People come to peel off scrap metal and steal from it.

Are there logistical concerns that pose a delay to the timeframe of cleaning up this site and returning it back to its natural state?

Mr. REGAN. I do not think there are any logistical concerns. I will say that I share the concerns that you have just laid out, which is trespassing and theft and other things. I think we are looking into some fencing and some other things that we can do to prevent people from coming onsite, maybe even some beautification while we are doing the work.

So, my folks have committed to me that they are focused on this as a high priority, and, you know, I am hoping we can stay in touch on this.

Mr. FRY. Well, and I appreciate that. Happy to be a willing partner with you all. This is of great importance to that part of the region in my state.

Do you—with respect to the security around it, the fencing, other things that may occur, is that something that the EPA would be funding, or is that something that the property owner itself or other entities would be contributing to?

Mr. REGAN. That is something that, more than likely to expedite the timeframe, EPA could fund and then get the funds back from the polluter or the perpetrator.

Mr. FRY. What do you expect—just curious. Out of pure curiosity, Administrator, what do you expect the cost of that to be? What is the anticipated cost of cleanup of that site?

Mr. REGAN. I have no idea. I mean, I would be purely guessing if I threw out a number.

Mr. FRY. OK. What is it—what do you see in other sites around the country, the cost range, if you will? Like between a million and a hundred million, something like that, or what do you—

Mr. REGAN. I will tell you what, we will get those to you really quickly.

Mr. FRY. OK. Looking forward to partnering with you.

Mr. REGAN. And the reason that is is that they range. You know, these sites, they range in size. They range in contamination. They range in the depth of the contamination. So, that is a pretty hard question to answer without exactly knowing what your site looks like.

Mr. FRY. Would love to work with you on that. I think it is of great importance. A lot of people are very frustrated, not necessarily with the EPA, but just with the site itself out there.

Mr. REGAN. Sure.

Mr. FRY. So, to the extent that we could expedite it and we can get that place cleaned up, it is a beautiful part of the state. They have got tremendous natural resources and would love to see it returned back to its natural state.

Mr. REGAN. Absolutely.

Mr. FRY. Thank you, sir.

Chairman COMER. The gentleman's time has expired.

The Chair now recognizes Mr. Langworthy from New York.

Mr. LANGWORTHY. Well, thank you very much, Mr. Chairman. I appreciate the Administrator being here with us here today.

And I would like to discuss the EPA's recent final rule entitled, "Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review."

It is no secret that the final rule will have a severe impact on more than 700,000 marginal oil and gas wells throughout the United States, including wells operated by small scale operators in my own district in the southern tier of New York.

Administrator, prior rules acknowledge the need for accommodations for marginal wells. This rule should have done the same. Did EPA consider the vast differences between a marginal well operation and high-volume well operations when crafting this rule?

Mr. REGAN. Yes, we did.

Mr. LANGWORTHY. OK. And now under this rule, the EPA is providing no more than a 36-month regulatory compliance timeline for the oil and gas operators.

Administrator Regan, you know as well as I do that the small scale, family owned marginal well operators will be seriously stretched in their ability to meet the new tranche of requirements that your agency is meting out for them under this requirement. Have you considered extending the timeline to at least accommodate the smaller well operators who, as you know, operate with fewer resources at their disposal?

Mr. REGAN. I believe that has been up for discussion, and we will circle with you to see where that conversation lands.

Mr. LANGWORTHY. OK. That would be very helpful.

Look, I have had some very frank conversations with the oil and gas operators in my district, and these are all on the smaller scale, often family owned operations, and they provide crucial employment and economic activity in the southern tier, as well as contribute to our Nation's energy needs.

Twenty years ago, the Federal and state regulatory burden facing these operators could fit in a small packet of paper. Today, it is practically a phone book. Much of what the EPA has done under

this and former administrators to hamstringing our energy producers, this rulemaking is unacceptable.

But I want to shift topics and briefly discuss EPA's recent greenhouse gas emissions standards for heavy-duty vehicles, the phase 3 final rule. Heavy vehicles included in this rule serve dual purposes through the winter season in the Northeast. Many snowplows fall under this. In fact, it was the New York City Department of Sanitation who purchased several electric trucks to serve double duty as garbage trucks and snow removal plows, and the result is that they were removed from the street very quickly.

The Commissioner of the New York City Department of Sanitation said during a city council hearing in November 2022 that we need them to go 12 hours a day, so I do not see today, given the current state of technology, a path forward to fully electrifying the rear loader portion of the fleet by 2040.

Administrator, New York City's electric snowplow experiment failed, yet the EPA has continued to enforce several rules for vehicles that serve as snowplows in the winter. How do you expect plow operators in a place like Buffalo, New York, to remove 8 feet of snow during our next major disaster if electric snowplows cannot last more than 3 hours with a foot of snow?

Mr. REGAN. Well, I think that we have taken into consideration when and where and how these vehicles perform the best. And I think as these technologies continue to evolve, we will see these technologies expand in areas that, quite frankly, they are seeing some challenges now.

When we looked at this rule nationally and we looked at the opportunities and talked with the OEMs, they gave us assurances that these vehicles could perform for their customers, which is why many of them stood with us when we issued the rule.

Mr. LANGWORTHY. You are using a technological wish list that does not exist. And severe weather places like what I represent in Buffalo, New York, and surrounding areas have much higher snowfalls than others. And to meet these guidelines is just completely unrealistic given today's technology.

I am running out of time, so I am going to finish by saying this: the EPA has claimed over and over that its policies are in line with the original bipartisan mission of the Agency; however, I do not believe that could be further from the truth.

Under the direction of your department, Administrator, you have cost the American people trillions of dollars, you have hurt small businesses, and you have put the lives of millions of Americans in jeopardy all in the name of climate virtue signaling. And we see it with the onslaught of regulations that have been handed down, affecting everyone from oil and gas operators to, you know, small- and medium-size communities just looking to remove snow from their streets to keep their public safe.

I look forward to working with my colleagues on this Committee to continue to push for greater accountability for these absurd policy priorities of your agency.

And I yield back, Mr. Chairman.

Chairman COMER. The gentleman yields back.

And I will recognize myself for 5 minutes. I have not asked my questions yet.

Administrator, every sector of our economy relies on access to affordable and reliable power supplies, and electricity demand is expected to only increase over time. You agree with that. Electricity demand is going to increase.

Unfortunately, recent actions taken by the Biden Administration cast doubt on the future of electricity supplies that we often take for granted. EPA's Clean Power 2.0 would set even more stringent emission standards for existing coal and NGCC, natural gas-fired power plants. However, the final rule hinges on the rapid adoption of carbon capture and storage technology, or CCS, and hydrogen co-firing.

Many believe the EPA's plan and deadlines are simply unachievable. I think everyone on our side has made reference to that. It is fair to ask whether EPA's true aim is simply to kill off coal-fired generation without regard to utilities' ability to replace its baseload resource. It is also fair to ask whether EPA is acting without regard to state environmental regulators while developing compliance plans and permitting programs.

On June 21, 2023, this Committee launched an investigation into Clean Power Plant 2.0. In documents provided to the Committee and subsequently made available to the public, we discovered Agency comments suggesting that—the Administration, you—CCS and hydrogen co-firing have not been adequately demonstrated and, therefore, the proposed rule would violate the Clean Air Act.

Despite this knowledge, the Biden Administration issued a rule that it not only knew had serious legal flaws but would also impose nearly impossible-to-meet standards on 60 percent of our Nation's electricity generation.

Now I ask unanimous consent to enter into the record a *Wall Street Journal* editorial detailing the findings of this Committee's investigation and the Agency comments on the rule.

Without objection, so ordered.

Chairman COMER. While the majority of the Nation's overall electricity is produced via coal and natural gas, this percentage is even higher for states like Kentucky, my home state, where over 90 percent of our electricity comes from fossil fuel-fired power generation.

Administrator Regan, if over 90 percent of Kentucky's power producers are forced to adopt technologies like CCS or hydrogen co-firing, how would this impact the price and reliability of electricities for consumers in states like Kentucky?

Mr. REGAN. Well, Chairman, first of all, I would like to say that as a former state regulator who had to design these state implementation plans, we have definitely kept that at top of mind. There is flexibility in this program that the states and we will take advantage of to make sure that the states can meet this goal.

I have spent time in states like Wyoming with Governor Gordon or North Dakota—

Chairman COMER. Let me finish with my questions.

Estimates have shown that the compliance costs associated with this rule would be upwards of \$10 billion. Now, this is a significant amount considering the pressures already facing the power structure.

So, my question, sir, is why is EPA pushing a costly rule that will reduce the amount of additional power generation when more

power generation needs to be brought online to meet increasing needs across the country?

I mean, you said that electricity demand is going to increase. If the country adopts you all's goal of more electric vehicles, that is going to require more electricity, a growing population. I mean, we have got a border that is wide open. People are coming in every day. There is going to be more demands for electricity. So, why would EPA push this rule if—take away the costs, but the demand for more energy, and I do not believe that is going to achieve that.

Mr. REGAN. We think it can. And with that demand, we think we will get more cleaner energy. And listen—

Chairman COMER. Where is it going to come from?

Mr. REGAN. I have been to Wyoming. I have been to North Dakota, spent time with Governor Burgum. I have been to Wyoming and spent time with Governor Gordon. They are doing it. There is a facility in Texas, Petra Nova, that is doing it. So, the—

Chairman COMER. Are you concerned with the blackouts in California, states that are growing? Or I do not know if California is growing. There is a lot of people in California, a lot more people in California than Wyoming and North Dakota. Seems like the states like California are the ones that are most at risk. And then with your new rules, it puts states like Kentucky at risk.

Mr. REGAN. We have thoroughly—along with DOE and FERC and others, we have thoroughly evaluated the reliability. We are talking about between now and 2031, 2032. We believe that we can make this transition, get it done, even with the new demands that are on the system.

By the way, DOE is investing tons of money into our grid to make it smarter and more resilient. We have got an infusion of dollars from BIL and IRA that would make our energy system much stronger.

Chairman COMER. And I appreciate that, but I have been asked by all my electric cooperatives in Kentucky—these are not privately owned. These are cooperatives. Every single cooperative in Kentucky is screaming at the top of their lungs about your new proposals. They fear Kentucky is not going to be able to comply. They fear that Kentucky—the energy rates, if we eliminate fossil fuels, which is—90 percent of the electricity in Kentucky is generated by fossil fuels. The cost to consumers is going to be outrageous, and people who are struggling now because of inflation are only going to have to pay more for their utility bills.

So, I want to express that concern to you on behalf of all my electric cooperatives in Kentucky.

My time has expired.

Mr. REGAN. Chairman, can I offer—

Chairman COMER. Yes. Go ahead, please.

Mr. REGAN [continuing]. For the electric co-ops? I have a great respect for electric co-ops. I would love to have the leadership of that co-op in Kentucky come in and—

Chairman COMER. They would love to talk to you. We will make that happen.

Mr. REGAN. OK. Thank you.

Chairman COMER. It does not appear we have any more questions.

So, in closing, I want to thank you, Administrator Regan, for appearing here today and for your testimony.

I now yield to Ranking Member Raskin for closing remarks.

Mr. RASKIN. Thank you, Mr. Chairman.

I just want to make three points in closing. The first is that Americans want the EPA to be doing more to stop climate change, not less. And yet we heard from a number of our colleagues on the GOP side today, as well as from Project 2025, that EPA's rules are hurting Americans. But that is not the perspective most Americans have. Most Americans want the EPA to be doing more.

We have a philosophical difference or a scientific difference. We believe that climate change is real and is a dagger pointed at the throat of humanity. And too many of our colleagues agree with the erudite gentlelady from Georgia who calls climate scientists, and most Americans by extension, climate cultists. We heard it twice from her today.

Well, if there are brainwashed cultists on the issue, it is the people who are following the conspiracy theories of QAnon and assert that scientists like Dr. Fauci are trying to invent diseases. That is where the cultists come in.

Secondly, a number of our colleagues wanted to lecture you, Administrator Regan, about the role of agencies which are, of course, indispensable in implementing the will of Congress. That is why Congress set up the EPA. That is why Congress set up the National Labor Relations Board. That is why Congress set up the Department of Justice. And our colleagues have no problem using those agencies to get the things done they want to do. If you read their Project 2025, they want the President of the United States to be able to use the Department of Justice for the first time in American history to go after his political opponent—

Chairman COMER. Oh.

Mr. RASKIN [continuing]. And to—well, if you disagree with that, then I am delighted to hear it, Mr. Chairman.

Chairman COMER. Which Department of Justice is going after political opponents? The Merrick Garland Department of Justice or the—

Mr. RASKIN. Well, let us see, there is a case right now against a Democratic Senator from New Jersey, Mr. Menendez. There is a case right now against a Democratic Congressman from Texas.

Chairman COMER. I see a pattern with Democrats.

Mr. RASKIN. And—well, wait a second. Do not be too clever. You are a smart man. But try to follow a principled argument. You just claimed that the Department of Justice was somehow biased against Republicans, and I am naming you cases where the DOJ is going after Democrats. Your problem is the jury system in New York which found unanimously that Donald Trump was guilty of 34 criminal felonies. That has got nothing to do with the Department of Justice.

Chairman COMER. Well, when the Department of Justice sends the No. 3 guy down there to prosecute the case on behalf of the—

Mr. RASKIN. Which case are you referring to?

Chairman COMER. The Trump case that you just referred to.

Mr. RASKIN. You are talking about the one, the district attorney—District Attorney Bragg's case in New York?

Chairman COMER. The No. 3 guy went down to New York.

Mr. RASKIN. OK. All right. We will have to take that up at another point, but I am talking to you about what President Trump—former President Trump says he wants to do. And if you think it is outrageous, then I am delighted to hear it, that he would use the Department of Justice—

Chairman COMER. No. I just thought it was—the part that was outrageous, you say the Department of Justice under Trump was going to be weaponized, when we believe that this Department of Justice has been pretty darn weaponized.

Mr. RASKIN. Well, what is the proof of that? I just named you three cases where the Department of Justice is going after Democrats. And, I mean, that is a very serious slur against the Department of Justice and the Attorney General.

Chairman COMER. I stand by that.

Mr. RASKIN. You stand by your slur then. Well, I would love us to have a complete hearing then on whether or not it is true, because I think it is wrong. And, in fact, really, it is just setting the stage for Donald Trump to try to use the Department of Justice as an instrument of persecution against his political opponents, real or imagined.

Chairman COMER. We do not know if Donald Trump is going to be President or not. Are you throwing in the towel, Mr. Raskin?

Mr. RASKIN. No, no. I—well, I certainly hope he does not try to steal the election the way he did last time, and I hope—

Chairman COMER. So, you are in denial, Mr. Raskin?

Mr. RASKIN. Oh, no, no. I do not deny it. I affirmed it. Joe Biden beat him by more than 7 million votes, 306 to 232 in the electoral college. We know that happened. And yet I hope you are not an insurrection denier, because you were there with me that day when they came in chanting, “Hang Mike Pence.” Do you remember that?

Chairman COMER. I remember September—January the 6.

Mr. RASKIN. Do you remember them chanting “Hang Mike Pence”——

Chairman COMER. I voted to certify.

Mr. RASKIN [continuing]. Them trying to overthrow the election?

Chairman COMER. Unlike you, I have never not voted to certify an election.

Mr. RASKIN. I am sorry?

Chairman COMER. Did you not vote to not certify the 2016 election?

Mr. RASKIN. The 2016 election? I simply spoke against irregularities.

Chairman COMER. Ah.

Mr. RASKIN. I did not try to overthrow the Government of the United States. I did not try to get the Vice President not to do his job, and I did not even go to a Senator.

But in any case——

Chairman COMER. I have always voted to certify elections. I just want to state that for the record.

Mr. RASKIN. OK. So, then you would agree then that Donald Trump lost the 2020 election?

Chairman COMER. I voted to certify the election. I have said that a million times. When the 50 states——

Mr. RASKIN. Did you say once that Donald Trump lost the election?

Chairman COMER. I have said that. When the 50 states certified the election, the election was over. Now, we have gone over—

Mr. RASKIN. No, I do not mind the diversion, Mr. Chairman.

But let me just say this. On the question of the agencies in America, let us be clear about what the Supreme Court did. What the Supreme Court said was, of course the agencies can adopt rules and regulations. My friend from Colorado was really mistaken about that. The agencies, even under their terrible ruling, can continue to adopt and promulgate regulations and rules under the notice and comment process we have.

But the Supreme Court then in this amazing power grab irrigated to itself the power to determine whether or not an ambiguous or silent statute should be interpreted this way or that. So, it was a political power grab by the Court. That is all that they did.

But Mr. Regan is doing his job. The EPA is doing its job. The NLRB is doing its job. The Department of Justice is doing the job. They have got to adopt rules that Congress told them to. So, that was a power grab by the Court against the Congress of the United States.

Now, what is interesting about Chevron is that that was a 6–0 decision that the conservatives supported because it was giving Reagan Administration-era agency bureaucrats the right to revisit the way that statutes were being interpreted from the 1970's. They pushed for it then. Now they are saying they do not want the agencies to have that power.

In any event, the people of America want you to have the power to have muscular enforcement of our rules for clean air, clean water, and clean climate.

I yield back to you, Mr. Chairman.

Chairman COMER. The gentleman yields back.

I will agree that the American people want clean air and clean water, and I think that is why we have an EPA. That is the role of the EPA, to ensure that we have clean air and clean water. And the role of the EPA is to ensure that if there are bad actors, people who pollute the water or pollute the air, then they are to be held accountable.

The problem that we have with the EPA, on our side of the aisle, and the problem that many industries in America have with the EPA is we believe the EPA has overstepped its bounds. We believe that many of the people in the EPA, career-type people in the EPA, are interpreting the laws that Congress passes in the way they want to interpret the law as opposed to the way Congress intends for the law to be interpreted.

We fear that maybe the heart—your heart is in the right place on a lot of things, but you do not take into consideration the costs. We have a problem in this country. And the No. 1 issue in this election—I think prior to the debate, the No. 1 issue in this election is inflation. And a lot of the laws and a lot of the rules that we believe EPA is misinterpreting are having a significant cost on everyday average working Americans.

If you look at what Mr. Burlison and I mentioned with respect to wastewater with meat processing plants, our processors, and our



farmers. So, it is going to have a significant impact on the cost of food. And we are talking about Chicken McNuggets at McDonald's. We are talking about chicken at Chick-Fil-A, and things like that, that average working-class Americans go through the drive-thru after work and—

Mr. RASKIN. Chairman, forgive me. Do you know what the cost of 10-piece Chicken McNuggets is today?

Chairman COMER. Well, I buy a lot of Chicken McNugget meals.

Mr. RASKIN. It is under \$5. It is \$4.49 at the closest one you can get here. I mean, and Impossible Nuggets are even less.

Chairman COMER. So, there is no inflation at McDonald's, Mr. Raskin. And I would say I spend more money at McDonald's than any person in Congress, and I will stand by that. I will testify under oath. My three kids—

Mr. RASKIN. Well, we certainly do not mean to bankrupt you with our environmental regulations when you go to McDonald's.

Chairman COMER. I want to share a story, Mr. Regan. Before I came to Congress—I have been in Congress 8 years—I was Commissioner of Agriculture in Kentucky. I am a farmer by trade. And one of the first meetings I had, Federal-type meetings I had when I was Commissioner of Agriculture, Gary Black was Commissioner of Agriculture in Georgia. He was a Commissioner at the same time I was Commissioner. Obviously, a good buddy of mine.

He convened a meeting with all the ag commissioners that were in District 4, in Atlanta. We went to Atlanta. And I brought a farmer with me, a leader in agriculture in Kentucky. His name was Wayne Hunt. And we were talking about some of the new proposed rules on water nutrient testing. And we went into this meeting—and I am a farmer by trade, and, you know, I had no idea what to expect. We went in, and the Administrator at that time—and this was under the Obama Administration—for District 4 was there. And her, I guess, experts—you mentioned world-class experts. There was a room full of people. And we were talking about the costs of implementing this.

We were talking about the fact that if you test water and you find nitrogen—you know, excessive levels of nitrogen, let us say, that may not be from fertilizer. That could be from sewage treatment plants. That could be from fertilizer from golf courses that were on. You know, it did not necessarily have to assume it was fertilizer from farmers, because it was, you know, talk and suggestions to limit the amount of fertilizer per acre and things like that which would—you know, there is a direct correlation with the fertilizer and crop yields and things like that. So, we were trying to explain that.

There was not a single person in that room—and it was a room of probably a dozen EPA employees, full-time employees. Not a single one of those had ever had any type of agriculture background. Not a single one of them had any type of environmental science background. In fact, if memory serves me right, the Administrator at that time for District 4 was a career child prosecutor for the Atlanta DA before she was named EPA Administrator. And we asked her, you know, how she got to be EPA Administrator, and she said, well, I care about the environment. Well, we all care about the environment.

But we fear on this side of the aisle that there are rules being made by people who may not have any idea how that rule would affect food production or how that would affect inflation, how that would affect the taxpayers. We all want clean air and clean water, but we want some common sense used in trying to achieve this.

So, I just want to remind you, Mr. Regan, that your rules and regulations impact a lot of people. We support efforts to preserve and protect the environment.

The Ranking Member and many of his colleagues mentioned climate change. I do not think a single one of our members mentioned climate change until I just said it now.

We want the EPA to abide by the rules of Congress and not take orders from left-wing climate extremists, because that is what we fear is happening now.

So, we want to continue to communicate. We want to work with you. We share the same overall objective, a clean environment and holding bad actors accountable for polluting our streams and our air, but we also have to take into effect the costs and the practicality. I mean, we have to have more electricity production. We do not believe your rule and your objectives are going to achieve that.

So, thank you for being here today, sir. We appreciate your testimony.

And with that and without objection, all members have 5 legislative days within which to submit materials and additional written questions for the witness which will be forwarded to the witness.

If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 1:48 p.m., the Committee was adjourned.]

