

**FROM PROTECTION TO PERSECUTION:
EPA ENFORCEMENT GONE ROGUE
UNDER THE BIDEN ADMINISTRATION**

HEARING

BEFORE THE

**SUBCOMMITTEE ON FEDERAL LAW
ENFORCEMENT**

OF THE

**COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM**

U.S. HOUSE OF REPRESENTATIVES

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- * Letter, Coalition Letter of 81 Outside Organizations to EPA on the Integrated Risk Information System (IRIS) Program; submitted by Rep. Grothman.
- * Text of H.R. 1415—“No IRIS Act of 2025”; submitted by Rep. Grothman.
- * Letter, September 23, 2025, from Eric Schaeffer; submitted by Rep. Lee.
- * Letter, April 11, 2025, to DOJ-EPA re Regulatory Enforcement Weaponization; submitted by Rep. Higgins.
- * Text of H.R. 3346; submitted by Rep. Higgins.
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- * Willis Plea Agreement, “US v. Power Performance Enterprises DOJ”; submitted by Rep. Lee.
- * Article, *WBUR*, “Fear and Low Morale at New England EPA Office”; submitted by Rep. Pressley.
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**FROM PROTECTION TO PERSECUTION:
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TUESDAY, SEPTEMBER 16, 2025

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
SUBCOMMITTEE ON FEDERAL LAW ENFORCEMENT
Washington, D.C.

The subcommittee met, pursuant to notice, at 1 p.m., in room 2247, Rayburn House Office Building, Hon. Clay Higgins [Chairman of the Subcommittee] presiding.

Present: Representatives Higgins, Biggs, Perry, Lee, Simon, and Pressley.

Also present: Representative Grothman.

Mr. HIGGINS. The Subcommittee on Federal Law Enforcement will come to order.

We welcome everyone.

We are waiting on a couple of Members to arrive. However, we are going to begin, respectful of our witnesses, one of whom has a hard stop. I know we have votes scheduled at about 1:30. So, we are going to move forward.

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

**OPENING STATEMENT OF CHAIRMAN CLAY HIGGINS
REPRESENTATIVE FROM LOUISIANA**

Mr. HIGGINS. Today, the Subcommittee is going to hear about the aggressive enforcement tactics employed by the Environmental Protection Agency (EPA) and the Department of Justice to intimidate small businesses into consent agreements and other enforcement actions.

Today's hearing focuses on one specific issue, the overly aggressive enforcement tactics, many of which are better suited for hardened criminal enforcement, used by the Biden Administration to intimidate hardworking small business owners and set an example through regulatory terror against everyday American entrepreneurs.

The Clean Air Act clearly provides the EPA with criminal enforcement authority. Like it or not, Congress granted the EPA that authority. What is in question is whether the agency, which has seen its enforcement program shift from prosecuting industrial polluters to persecuting small businesses, the question is whether or

not they have fairly and consistently applied its use of criminal authority or if enforcement actions under any administration were hypercharged in pursuit of left-wing political objectives under the so-called banner of environmental justice.

In the 1990s, Congress expanded EPA's criminal authority. However, shortly after enactment, the EPA conceded it has limited criminal authorities. In an internal 1993 EPA memo, EPA enforcement personnel concluded that Congress intended criminal responsibility of an owner or operator to be strictly limited to, quote, "senior management or corporate officers," or the Clean Air Act (CAA) violation was a knowing and willful magnitude of intent.

That memo went on to state, quote, "Automobile dealer or repair shop tampering with automotive air emission systems still cannot be prosecuted criminally under the CAA since the mobile source regulations impose various compliance certification responsibilities only on automobile manufacturers and not on the dealers."

Over time, the EPA's enforcement focus has clearly shifted. Instead of pursuing massive industrial polluters who employ highly paid legal defense teams, EPA, under the Biden Administration, chose to focus on mom-and-pop shops. And those shops had limited means to argue their case against the legal might of the Department of Justice, backed by the EPA.

Often, EPA's enforcement actions involved raids on shops by teams of armed EPA agents who intimidated small businesses with threats of criminal prosecution. If achieved, these prosecutions would deprive targeted individuals of their right to vote, their Second Amendment rights, not to mention the destruction of their businesses.

As a former law enforcement professional, I question why the EPA even has the authority to have armed agents raiding Americans' homes and workplaces for alleged violations that are often highly technical regulatory violations, alleged regulatory violations, with no suggestion of any threat of harm or violence to law enforcement.

It is a legitimate question Americans should ask: Why are these raids even happening in a regulatory environment? There are plenty of other law enforcement resources at the state and local level that, when truly appropriate, if the EPA felt that they needed that kind of help, they can employ to help execute a warrant.

But what is clear is that the use of armed EPA agents is not motivated by public safety. Rather, such heavy-handed tactics are clearly aimed at intimidation. They have a regulatory focus and purpose backed by a political agenda, and they drive that message home very clearly when they hit a home or a business at zero dark 30 and terrorize the business owners and the families.

For this reason, the Subcommittee has conducted a thorough review of all regulatory agencies', quote/unquote, "badge and gun authority" to determine if rogue administrative agencies need their authorities curtailed under any administration—the Obama administration, the Biden Administration, President Trump's Administration.

Regulatory authority is regulatory authority, but terrorizing Americans is a bridge too far. I fear the EPA's aggressive use of

its criminal authority proves the adage, quote, “Power tends to corrupt, and absolute power corrupts absolutely.”

Madam Ranking Member, I would like unanimous consent to enter a letter, dated April 11, directed—from me directed to Hon. Pam Bondi, the Attorney General of the Department of Justice, and Hon. Lee Zeldin, Administrator of the EPA.

Without objection.

I now recognize the Ranking Member, Ms. Lee, for the purpose of making an opening statement.

**OPENING STATEMENT OF RANKING MEMBER SUMMER LEE
REPRESENTATIVE FROM PENNSYLVANIA**

Ms. LEE. Thank you, Mr. Chairman.

Enforcing our environmental laws is critical to protecting public health and ensuring that every person in this country has access to clean air, safe water, and healthy land. When EPA enforces the law, children can breathe without inhalers or drink water without lead and play outside without fear of developing rare cancers.

I recognize that navigating the EPA regulations is not always straightforward, especially for small businesses, but complexity does not make these protections any less necessary.

Defeat devices are banned because they cause real harm, more asthma, more respiratory disease, more premature death. The solution to confusion is not to weaken protections but to ensure the EPA has the staff and the resources to give businesses the guidance they need, protecting both public health and businesses from liability.

But, under the Trump Administration, the EPA has abandoned its responsibilities. Workers have been laid off. Funding has been withheld. More than 160 corporate enforcement cases have been dropped. And, instead of focusing on the largest polluters, enforcement has too often relied on criminal penalties against small players.

At the same time, Trump has dismantled EPA’s environmental justice offices: Nearly 200 staff laid off or pushed out. In March, EPA stopped considering environmental justice altogether in enforcement decisions. A former EPA staffer warned that, without those staff on the job, the air we breathe and the water that we drink are at a greater risk from toxic pollution that causes cancer, asthma, and lung disease.

EPA has stopped accepting new civil rights complaints or issuing findings of discrimination under Title VI of the Civil Rights Act. Thirteen complaints are now in limbo, including one over poultry waste polluting Black and indigenous communities in North Carolina. Families living next to refineries and highways are being told their health does not matter.

So let us be clear: The only persecution we should be talking about is what Black and Brown and poor families have endured for generations, families forced to raise their kids in the shadows of smokestacks, children that are twice as likely to die from asthma, communities where cancer rates soar beyond the national averages and a government that continues to turn its back on them.

The Trump Administration’s actions are alarming and abhorrent, but I would be remiss not to note the absurdity of this hearing. If

this Subcommittee on Federal Law Enforcement were serious, we would be examining the most lawless administration in modern history, one that is illegally withholding congressionally appropriated funds, dismantling Federal agencies, firing watchdogs, deploying troops into American citizens, and withholding documents about one of the worst child sex traffickers in history. Just outside of these walls, Washington, D.C., is still under Federal occupation.

But, instead, we are here having a hearing focused on the past, talking about, quote, “weaponized environmental enforcement” while the current, right now, Administration dismantles all of our environmental protections to the detriment of our air, our land, our water, our health and, yes, our people.

I yield back.

Mr. HIGGINS. The gentlelady yields back.

We have a Member waiving onto the Subcommittee.

Without objection, Representative Grothman of Wisconsin is waived onto the Subcommittee for the purpose of questioning the witnesses at today’s Subcommittee hearing.

I am pleased to welcome our witnesses for today. Mr. Kory Willis is the owner of Power Performance Enterprises, Incorporated, or PPEI. Based in Louisiana, PPEI is a leader in automotive performance tuning.

Mr. Justin Savage is a global co-leader of Sidley Austin’s environmental health and safety practice and co-leads the firm’s automotive and mobility sector team.

Mr. Eric Schaeffer is the former Executive Director of the Environmental Integrity Project.

We look forward to hearing what you have to say on today’s important topic. Pursuant to Committee Rule 9(g), the witnesses will please stand and raise their right hands.

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

Mr. SCHAEFFER. I do.

Mr. SAVAGE. I do.

Mr. WILLIS. I do.

Mr. HIGGINS. Let the record show that the witnesses all answered in the affirmative. Thank you, and you may be seated.

We appreciate you being here today, and we look forward to your testimony. Let me remind the witnesses that we have read your written statement and it will appear in full in the hearing record.

Please limit your oral statement to 5 minutes. As a reminder, please press the button on the microphone in front of you when you need to speak 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, the light will turn yellow. When the red light comes on, your 5 minutes have expired and I ask that you wrap up.

I now recognize Mr. Kory Willis for his opening statement.

**STATEMENT OF KORY WILLIS, OWNER & FOUNDER
PPEI CUSTOM TUNING**

Mr. WILLIS. Chairman Higgins, Ranking Member Lee, and Members of the Subcommittee, thank you for the opportunity to testify

today. It is a privilege and an honor to be here, and it is by the grace of God that I am able to be here today.

My name is Kory Willis, and I own Power Performance Enterprises, Incorporated, better known as PPEI. I love God, my country, and my family.

I want to share what I have experienced during the past decade since the government started prosecuting me and my company, culminating in a civil consent decree in 2022.

I walked at 11 months, and I was placed on my first four-wheeler one month later. I quickly learned the fastest way to get from point A to point B was not walking; it was machines—leading me to eventually start PPEI when I was 19 years old.

PPEI started out as a company that specialized in high-performance tuning of vehicles for racing, and interest in our products grew as it became evident that diesel vehicles with the original manufacturer emissions control devices were failing.

Regular guys like me had to choose between fixing their cars or enjoying a vacation or dinner out. My tunes solved their problems and, in fact, made their cars drive more efficiently. It also took off for others who wanted to see their everyday cars go faster.

The journey with the EPA started on my 25th birthday, November 3, 2015, almost ten years ago, when I received a request for information from the EPA. We forwarded it to the attorneys to handle for me, thinking it was a formality and essentially not a big deal. I had no idea that EPA was making a change in their enforcement priorities to include our industry practice.

In the years following that information request, my family and I spent several million dollars in legal fees, legal and accounting fees, and hundreds of, even thousands of hours of staff time responding to the EPA's demands and trying to understand EPA's position on the sales of our company's tunes.

We tried to differentiate certain aspects of our business, including related to military and emergency vehicles and off-road or competition use, all of which are supposed to be not subject to the strict Federal emission standards.

The propaganda machine has led many to believe that combustion engines are far more harmful than they really are. We scrambled to try to come to agreeable terms regarding what we could and could not sell and the appropriate penalty.

This was a massive undertaking by our legal team and staff. For example, one of our document productions was 44,000 pages. At one point, during the civil consent decree negotiations, EPA demanded tens of millions of dollars to resolve the matter. I had nowhere near the numbers that they proposed, and for this, we fought for years.

In the spring of 2019, EPA and DOJ civil enforcement attorney advised that, in short, we could either stop selling any products or go to court. Going to court was not a viable option, due to the cost and the stress it would have on my entire family.

In August 2020, family and friends' homes were all devastated by Hurricane Laura and then pounded again by Delta in October. My offices were demolished. We were struggling for survival. We were fighting insurance companies to cover damages. We were try-

ing to figure out where we were going to work, and our employees were displaced.

The EPA was demanding my time while I was rescuing people and cutting trees off the roofs of peoples' homes, literally orchestrating 18-wheeler loads of water and other essentials at my ripped-apart office, and we were doing this for search-and-rescue teams also. Many of the members of these teams even stayed at my house while I had holes in the roof.

Our record-setting Diesel Drag Program fell apart, due to the hurricanes and continuing demands related to the EPA investigation and prosecution.

People matter more than business. So, while my attorneys were scrambling to respond to requests from the EPA for information, I generally just tuned out the legal storm that was building around me to focus on recovery from the hurricanes that had devastated us.

I never gave up on my business or my employees. I kept them on the payroll during COVID while myself and other senior employees donated our paychecks back to the company. I worked with them to build our business back and all of our livelihoods.

And I am speaking out now because I do not want to see this type of confusing and overbroad agency enforcement impact other people the way it has impacted us.

On May 2022, the consent decree was finalized. We simply did not have the money to fight the endless resources of the Federal Government, and the DOJ's overly burdensome requests would have continued to plague my family and business.

While there was so much in the consent decree that I prefer to be different, it was not in my best interest to keep fighting since negotiations had been going on for about seven years. I believed then that the consent decree offered to PPEI and me were our best option.

I was hopeful that, despite the restrictions imposed, we could keep PPEI afloat, allowing me to continue to keep paying me and my staff and continue doing what I love. But the consent decree immediately impacted PPEI, putting it at a disadvantage. PPEI was losing money and forced to lay off employees.

For us to get our products to market, the consent decree required us to obtain executive orders issued by the California Air Resources Board, or CARB. We would have to obtain a certificate within two years or stop selling our products.

Previously, California had regulations that we could work with, but it is no longer that way. It will take me decades to recover from the nightmare we have all gone through.

I want to thank you all for the opportunity to speak today.

Mr. HIGGINS. Thank you, Mr. Willis.

I now recognize Mr. Savage for his opening statement.

Mr. SAVAGE. Good afternoon, Chairman Higgins, Ranking Member Lee.

Mr. HIGGINS. Turn your mic on.

**STATEMENT OF JUSTIN SAVAGE, PARTNER
SIDLEY AUSTIN LLP**

Mr. SAVAGE. There you go. Good afternoon, Chairman Higgins, Ranking Member Lee, and Members of the Subcommittee. Thank you for the opportunity to testify today in my personal capacity. The views I share are my own.

My name is Justin Savage, I am a partner the law firm of Sidley Austin, where I co-lead our Environmental Team and I co-chair our Global Auto Group. I practiced law for 29 years, including nearly a decade at the U.S. Department of Justice, where I represented EPA, enforcing our Nation's environmental laws.

Before turning to my testimony, I wanted to mention that I am proud to appear before your Subcommittee, Mr. Chairman, because my daughter, Kaitlin, was born in Lake Charles, and my wife, Amy, and I, who is here today, graduated from McNeese State University there.

I am here today to focus on the surge of criminal environmental enforcement against small automotive industry players for check engine light violations, also called on-board diagnostics or OBD tampering, the lack of statutory authority for these prosecutions, and the impact of this weaponization on small businesses and individuals.

As President Trump and EPA Administrator Zeldin have said, economic prosperity and environmental stewardship are compatible. To accomplish that mission, we are blessed with many dedicated leaders and public servants at EPA and DOJ.

The problem we have, is that environmental enforcement can stray from its core mission, becoming a game of gotcha where due process, fair notice, and proportional punishments are thrown out the window.

As a defense lawyer, I have seen these excesses where EPA pursues small businesses that sell products and repairs for diesel pickup trucks. These are folks with previously clean records, many of whom have never dealt with EPA.

Instead of reaching out to these small businesses to bring them into compliance, if necessary, there has sometimes been a resort to heavy-handed tactics, including sending in armed agents. This happened to Jon Long, who is here today in the hearing room. John defended our Nation as a member of the United States Navy for 20 years. In addition to serving in the Navy as a diesel mechanic, John had a small side business he ran out of his home garage to repair pickup trucks.

Jon's first contact with EPA occurred when ten armed agents pounded on the door of his family home at dawn, wielding a battering ram. That dawn raid on Jon's home escalated into six felony charges under the Clean Air Act for allegedly tampering with on-board diagnostics, or OBD systems.

Putting that into plain English for you all, the government charged Jon for allegedly helping six pickup truck owners turn off their check engine lights. For decades, EPA considered this conduct to be a civil infraction, not a Federal crime.

EPA issued a guidance document in April 1993 during the Clinton Administration stating that the Clean Air Act did not authorize this kind of criminal liability, but EPA reinterpreted that stat-

ute to make it a crime to turn off a check engine light after Mr. Jon's conduct.

We also have with us today two other victims of these kinds of prosecutions: Josh Davis and Aaron Rudolf. Just like Jon, they had clean records and no prior interactions with EPA. Both grew thriving auto businesses that employed dozens in Illinois, Florida, and North Carolina. And they give back to their communities, with Josh serving as a Republican elected of the Woodford County Board of Commissioners, and Aaron most recently supporting rescue operations during Hurricane Helene.

Yet, EPA aggressively pursued Josh and Aaron for Clean Air Act compliance concerns over aftermarket products. Under the Biden Administration, we saw a ninefold increase in these kinds of baseless criminal prosecutions, often against small businesses.

When you are faced with the threat of a Federal criminal prosecution, many have no choice but to take a plea rather than risk their freedom. I was proud to defend Jon, Josh, and Aaron. Those criminal cases should have never been brought. EPA should not be allowed to move the legal goalpost and charge people with novel crimes, particularly small businesses.

Let me conclude with this: There are ample civil enforcement authorities to address Clean Air Act compliance concerns so we all have that clean air that we want to breathe and protect our families.

The problem is the compliance path. As a condition of Clean Air Act civil settlements, EPA has frequently required businesses, as Kory mentioned, to obtain approval from the California Air Resources Board, which can be burdensome and costly. Instead, EPA should consider public-private partnerships, including voluntary certification processes for compliance. And the rules should be clear up front.

Thank you, and I look forward to your questions.

Mr. HIGGINS. We thank you, Mr. Savage.

I now recognize Mr. Schaeffer for his opening statement.

Let me just add before you start, sir, before you start the clock, they are going to call votes here shortly. We are going to play that by ear.

Mr. Schaeffer, you are recognized.

**STATEMENT OF ERIC SCHAEFFER (MINORITY WITNESS)
FOUNDER AND EXECUTIVE DIRECTOR (FORMER)
ENVIRONMENTAL INTEGRITY PROJECT**

Mr. SCHAEFFER. Thank you, Mr. Chairman and Ranking Member Lee and Members of the Committee for inviting me here.

I led the Environmental Integrity Project for 22 years before I retired last year. But, before that, I was director of the Office of Civil Enforcement at EPA from 1997 to 2002.

If you spend a few minutes online, you will see a lot of businesses advertising products that promise to delete or disable emission controls or to disable the monitors that determine whether or not they are working.

I provided an exhibit with some of those where you can see some of those ads. Just to cite from one, it promises to "unleash your

truck's full potential with our complete full delete bundle. This all in one kit removes your entire emission system."

So, these products are sold with the promise that they are going to remove or disable your emission controls on diesel trucks. That is a problem, because that kind of tampering is prohibited by the Clean Air Act, but it is also very dangerous.

EPA has estimated that trucks that have removed their pollution control devices released about 570,000 tons of nitrogen oxides into the air between 2009 and 2019. Those nitrogen oxides drive smog. You also get more diesel particulates, which are particularly hazardous and linked to cancer and heart disease.

So, getting these illegal and dangerous products off the market should not be a partisan issue. I cannot speak to the specific cases that have been discussed today, but I do want to make the point that the launching of this enforcement initiative to crack down on the sale of these aftermarket devices started under the Trump Administration in President Trump's first term.

There are some online rumors that suggest that enforcement may stop altogether. I certainly hope those rumors are unfounded.

So, the Clean Air Act long ago required EPA to limit tailpipe emissions. That is to control—to keep them—to keep us from being smothered by smog and soot, which would otherwise happen if these vehicles did not have to comply with emission control limits.

Those same requirements said that you had to install monitors to make sure that those pollution controls, those on-board systems, catalytic converters, particulate filters, were actually working.

You have an on-board diagnostic system that lights up when your emission controls are faulty, and it will not turn off until the repairs have been made. So, that is the alert that tells you your system—your pollution control is not working and you need to take the truck in.

So, whether we agree the standards are too stringent or not stringent enough, it surely makes no sense to require manufacturers to install pollution control systems and monitors to make sure they work but then allow companies to strip them out as soon as diesel trucks leave the dealer's lot. But that is happening. That is a real problem.

It is a Federal crime to tamper with monitoring devices. That is a position that, again, the Trump Administration took in its first term. To its credit, it put out lots of guidance, put out a lot of guidance when it launched the enforcement initiative, explaining that and insisting that there were criminal, potential criminal penalties. The same guidance documents offered incentives for companies to come in and voluntarily self-disclose.

Federal Courts have actually rejected the argument that the Clean Air Act does not apply to these aftermarket defeat devices. Quoting—and that includes the monitoring systems that ensure they work. Quoting from one recent decision—three district courts have all gone the same way—the judge said, "Nothing in the text of the Clean Air Act suggests the statutes only apply to devices that monitor emissions. On the contrary, the statute covers any monitoring device or method that the Clean Air Act requires." That judge and others are citing the law, not EPA policies or interpretations.

So, as I said, you get dangerous levels of emissions when these emission control systems are stripped out of trucks. People who live near highways or in neighborhoods that are crowded up against ports or construction sites get hit with a heavy load of these diesel particulates. They are most exposed. They do not have the resources to move or fight back. I know it is not fashionable to say this, but those folks are trapped in a classics textbook case of environmental injustice.

So, I just want to close by saying that I understand that the emission controls required by law require maintenance, and that can be inconvenient. But, while a few diesel truck owners believe they may have the right to remove pollution controls and turn off monitors, most of them are complying with the law, and diesel trucks have gotten a lot cleaner.

But, speaking of rights, what about the rest of us? If you are stuck behind a diesel truck or a bunch of diesel trucks in a traffic jam and being showered with soot, live in an apartment next to a highway or in a city choked by smog, don't you have the right to breathe clean air? We used to think so.

Thank you, and I will be happy to answer any questions.

Mr. HIGGINS. I thank the witnesses for their opening statements. We will note for the record that the Chair was quite generous with Mr. Schaeffer's statement, over 6 minutes.

Consult with the Ranking Member?

[Discussion off the record.]

Mr. HIGGINS. Okay. I recognize myself for questioning for 5 minutes, and then very likely we are going to break for votes. And I am not sure how long that will take, but we will be back as quickly as possible.

Mr. Willis, we are going to be careful that, you know, we are not trying to ask you questions that you are not able to answer, and it is my understanding that you are under some level of restrictions on how you can talk about your case.

And, if any of us up here ask you a question that you are not comfortable with, I do believe you have counsel present. Is that correct?

Mr. WILLIS. That is correct.

Mr. HIGGINS. Okay. So, if your counsel needs to hand you a message or something, then we are going to allow that. And, if you do not feel comfortable answering a question, perhaps you can defer to Mr. Savage or Mr. Schaeffer if you feel they can respond to one of the Members' questions.

So, prior to—you said your first notice, your first interaction with the EPA was a notice that you received in 2015. Prior to that, had you ever had interaction with the EPA? Had they come by your shop and told you, indicated to you that maybe you are violating any regulations?

Mr. WILLIS. No, sir. We received the request for information (RFI) on November 3, 2015.

Mr. HIGGINS. Okay. And the request for information was regarding your sales, and that was your first indication that maybe the EPA was looking at you. Is that correct?

Mr. WILLIS. Yes, sir.

Mr. HIGGINS. Okay. And have you ever—in your business, I ask this respectfully, did you ever have any like tax issues with the IRS or had the Federal Government ever indicated to you that you were doing business in a shady manner? Describe your operations for us. Were they professional, documented? Did you pay taxes, et cetera?

Mr. WILLIS. Yes, sir. We have paid our taxes and clean books. No issues.

Mr. HIGGINS. That is my understanding. Just trying to clarify for the American people that Mr. Willis had a squared-away business. As far as he knew, he was following every law, state law. Later on, I did my best to help, and we were heavily involved. We could not find anything that he had done wrong. It seemed like it was a targeted investigation and persecution.

Now, I did not really want to believe that about my government, but it seemed that way. And they began enforcing it seems like, if you can speak to this, Mr. Willis, California emission standards.

Did you sell parts in California? What would happen if I was in California and I wanted to order one of your tuning kits?

Mr. WILLIS. Our website back then and still today, if you are in California, it does not allow full checkout.

Mr. HIGGINS. Why not?

Mr. WILLIS. We do not sell to California.

Mr. HIGGINS. Why not?

Mr. WILLIS. It is extremely difficult to do business in California.

Mr. HIGGINS. Do they have different emission standards?

Mr. WILLIS. Yes, sir, CARB standards.

Mr. HIGGINS. So, as a squared-away business owner, you recognized that, and you just did not do business in California, correct?

Mr. WILLIS. Correct.

Mr. HIGGINS. Did the EPA use California standards to prosecute your civil case and your criminal case?

Mr. WILLIS. Our plea agreement requires us to utilize California standards.

Mr. HIGGINS. But you did not do business in California, did you?

Mr. WILLIS. No, sir.

Mr. HIGGINS. Do you now?

Mr. WILLIS. We never shipped into California.

Mr. HIGGINS. Have you ever?

Mr. WILLIS. No, sir. We have never shipped into California—

Mr. HIGGINS. Okay.

Mr. WILLIS [continuing]. Unless it got through.

Mr. HIGGINS. Can you speak to how much economic impact this had on you? Like, how much money did you end up paying to the EPA? Can you speak to that?

Mr. WILLIS. Yes, sir. It was in excess of \$3.1 million.

Mr. HIGGINS. Okay. How much—have you estimated conservatively how much business you have lost over the last decade, you and your family?

Mr. WILLIS. Just the last five years on emissions compliant products, probably around \$12 million. And then, if we are talking full racing products, probably over \$100 million.

Mr. HIGGINS. And can you speak to what you have paid counsel, what you have had to pay attorneys over the last decade?

Mr. WILLIS. Yes, sir. In excess of \$7 million.

Mr. HIGGINS. So, you have an American family here that is talking about losing \$20 million, maybe a lot more, a squared-away business that paid its taxes and, according to everything he knew, followed the law. And the EPA never invited them in and say, "Hey, we believe you may be in violation in this category." They went straight to prosecution.

And, when the weight of the Federal Government comes upon an American family, it is like lights out. It is very difficult for a regular American family to respond. You just get ground up into the gears of the Federal Government. That is what has happened to Mr. Savage.

I hope to ask you questions later if we have a second round. Votes have been called, and we are going to go ahead and declare the Committee in recess, subject to the call of the Chair.

[Recess.]

Mr. HIGGINS. The Subcommittee is back in session.

And I recognize Ms. Simon for 5 minutes for questioning.

Ms. SIMON. Thank you, Mr. Chair.

And thank you to our witnesses for coming today. This is an important conversation. The issue surrounding the health of our children and our families is, I know, important to all of us and one of the reasons why the voters in my district sent me here to Congress. So, I am excited about this conversation.

This Administration has actively, in my office's opinion, undermined the enforcement of laws and regulations that ensure that we all have access to clear air, clean water, and land that is safe to live in, regardless of our incomes and ZIP Code.

In March 2025, the Environmental Protection Agency illegally terminated over 400 grants as part of this Administration's anti-Diversity, Equity, and Inclusion (DEI) crusade, and these grants were aimed at mitigating childhood lead poisoning, air pollution, and health risks from heat and wildfires.

The EPA also canceled multiple grants related to childhood asthma, clean drinking water, and healthy housing projects. This included a \$500,000 grant for the West Oakland—this is in my district—Environmental Indicators Project through the Inflation Reduction Act and a \$75,000 grant for the same organization for the Port of Oakland's transition to zero emissions.

Mr. Chair, I ask for unanimous consent, sir, to enter into the record OA list of targeted grants.

Mr. HIGGINS. Without objection.

Ms. SIMON. In the months since, the EPA has nearly doubled the number of canceled grants to 800, which has already been—which had already been awarded and the funds obligated by the previous administration.

In July 2025, Capacity Collaborative, based in Oakland, another program, had two grants terminated totaling \$6 million that were supporting leadership training for Indian/indigenous communities in Hawaii and youth training in Alabama harmed by environmental racism to self-advocate to protect their own communities' health and environment.

Housing and corporate racism have meant that the majority of highways, power plants, waste storage, and industrial plants have

been built near low-income and communities of color. This real reality has created health consequences for real folks in communities throughout the Nation, not just in my district.

Many studies, we all know, have shown that communities of color have higher rates of asthma, especially childhood asthma, because of access and excess pollution near their homes and their schools.

For example, according to the East Bay Community Foundation, a recent study found that in West and downtown Oakland, there are more than 70 percent residents, who are people of color, one in two childhood asthma cases were due to traffic-related air pollution. In nearby Oakland Hills, which is a very affluent community, the rate to pollution is only one in five.

Mr. Schaeffer, how will cutting nearly 800 grants for environmental justice exacerbate existing health disparities for our communities' children?

Mr. SCHAEFFER. Congresswoman, I think the evidence shows that there is a disproportionate—

Ms. SIMON. I think your mic, sir.

Mr. SCHAEFFER. I apologize. And I apologize for being a little bit late returning.

But I think the evidence shows that, as you said, so many power plants, highways, and other major sources of pollution are ginned up near low-income neighborhoods, often with people—where people of color are the majority.

Cutting these grants cuts a lifeline to them that would have I think been very useful. And, again, these are communities that do not have the means to hire high-priced attorneys or have the income to move. They are stuck where they are. And those grants were intended to help them.

Ms. SIMON. I appreciate your answer.

Mr. Schaeffer, would you also agree that, without proper staffing and funding for environmental justice, the Environmental Justice Office at the EPA and its grant recipients, that our communities are at greater risk of cancer and asthma and lung disease and toxic pollution?

Mr. SCHAEFFER. I would.

Ms. SIMON. Say more, please. I have 26 seconds.

Mr. SCHAEFFER. I will. The Office of Environmental Justice actually did not do a lot of enforcement. It had a little bit of involvement, but mostly these were efforts to reach out to communities who needed to be heard and needed to be helped. And I think the loss of that office is a shame.

Ms. SIMON. I appreciate all of you for being here. Thank you.

And I will yield back, Mr. Chair. Thank you.

Mr. HIGGINS. The gentlelady yields.

Mr. Grothman is recognized for 5 minutes for questioning.

Mr. GROTHMAN. Sure. I will try to get two big issues out of the way. Mr. Savage, we will put it on your broad shoulders.

In 2015, the EPA implemented new air quality control requirements. As the result, in 2021, large portions of the State of Wisconsin, particularly along Lake Michigan, were redesignated from marginal to moderate under the 2015 standard.

Despite the fact that the State of Wisconsin and our Department of Natural Resources engaged in good-faith efforts to reduce emissions, the EPA again reclassified Wisconsin's nonattainment status in January 2025.

The ozone we have along Milwaukee and along Lake Michigan is due to pollution migrating from other states like Illinois and Indiana. There is nothing we can do to lower the standard, and we have already decreased ozone concentrations 22 percent in the last 20 years. I grew up in that area. I never knew there was any pollution problem 60 years ago.

Given the data cited by the Wisconsin Department of Natural Resources (DNR) and EPA show that most ozone pollution originates south of Wisconsin, what is your take on causation and downwind liabilities? Is it fair, and is the EPA out of control with, kind of, this antibusiness feeling?

And what type of scientific proof should EPA be required to meet in demonstrating that ambient air is nonattainment—that, I am sorry, ambient air in nonattainment is caused by in-state sources versus transported pollution? And do you believe the Agency has met the standard here, or have they erred by overattributing ozone to Wisconsin's responsibility?

Mr. SAVAGE. First of all, thank you, Congressman, for the thoughtful question. I want to emphasize at the outset I am speaking here in my personal capacity. I have not worked directly on these issues in Wisconsin, but it is an issue near and dear to my heart. I have got some relatives up there, including one who used to live very close to the Jelly Belly Factory. So, I know the area pretty well up near Kenosha.

Let me just say this: I think the good news is that both the courts and the Administration are taking a serious look at this. On the courts, really, these efforts on Wisconsin air quality grew out of two things, the Biden Administration, a rule called the good neighbor rule that imposed various requirements on states in order to address ozone.

The U.S. Supreme Court stayed that rule. It is no longer in effect. Then EPA, at the tail end of the Biden Administration, tried to reclassify, as you said, Wisconsin. The U.S. Court of Appeals for the Seventh Circuit stayed that on September 9, 2025.

You know, I understand Administrator Zeldin and EPA are looking at your issues. And then, as a legislature, let me just share this perspective and, again, emphasizing it is my personal perspective.

You know, we are blessed with incredible clean air. There has been so much work done to this point. And, if you all ever go to other countries, it is so much better. But, personally, there may be some need to look at how we manage air quality planning in this country, because of the issues you have identified where it seems like our air quality standards are a one-way ratchet toward perfection, because the other side of the scale is, as you pointed out, there can be a loss of jobs. There can be—it can make it more difficult to site areas.

And this is a perfect example in that, when you reclassify an area as more serious under the Clean Air Act, it can trigger more stringent permitting, it can trigger the need to get emissions offset.

And, frankly, advising companies on where to move in the country, it makes it more difficult to site industrial sources.

Mr. GROTHMAN. Right. Things are much—they are so much cleaner than it used to be, and still they come up with higher and higher standards that it is even impossible for Wisconsin to meet. Now, we are talking about impossible standards in this evil Agency.

I want to talk a little about the Integrated Risk Information System (IRIS) program, which is dealing with chemicals. And we are running out of time here. So, I am going to say this: We want chemicals produced in this country. We do not want all our jobs in India and China.

From your perspective, right now, in the case of ethylene oxide, they have set a threshold 23,000 times lower than naturally occurring in the human body—in other words, a ridiculous standard that nobody is going to be able to meet.

What does it tell us about the reliability of IRIS science and what kind of economic damage can be resulted from these flawed assessments?

Mr. SAVAGE. Thank you, Congressman, for the thoughtful question. I will just say, in my personal capacity, here are a few thoughts. I am not a scientist, but as a lawyer, I can tell you, IRIS is not in a Federal statute. It is not statutorily authorized by this body. Developed outside of it, there is not a transparent process. And, as a lawyer, it is difficult to get the courts to review.

The problem is, then, it becomes a foundation for very stringent regulations through risk assessments and risk evaluations. I understand there have been many, many technical critiques of IRIS, including by Government Accountability Office (GAO) and National Academy of Sciences (NAS), saying the process is broken. Thank you.

Mr. GROTHMAN. Thank you very much. And I hope, with our new Administrator of EPA, we stop this antibusiness extremism that is—you know, I mean things are so much cleaner than when I was a kid. I cannot believe any Congressman would think we have to tighten up the standards more. But thank you for being here and sharing your thoughts.

Mr. HIGGINS. The gentleman yields.

And, under unanimous consent, I would like to enter into the record a bill that I have introduced entitled the “Sovereign State Environmental Quality Assurance Act,” which essentially abolishes the Environmental Protection Agency.

Without objection.

And we have a couple of Members making their way back from obligations on the Floor. I am going to recognize myself out of order for an additional question. I will extend the same courtesy, of course, to the Minority.

Ms. SIMON. I am okay now, sir.

Mr. HIGGINS. Thank you, Madam.

Mr. Willis—oh, Mr. Perry has returned. If Mr. Perry is ready, I will recognize him for questioning.

Mr. PERRY. All right. Thank you, Mr. Chairman.

Mr. Willis, I know that—I notice that you got cut short on your opening remarks. So, I want to give you a minute to kind of conclude your thoughts from your opening.

Mr. WILLIS. Thank you.

Mr. PERRY. Turn your mic on, sir.

Mr. WILLIS. Thank you for the time, Congressman.

This consent decree that we are under immediately impacted PPEI, putting it at a disadvantage. PPEI was losing money, and we were forced to lay off employees.

For us to get our products on the market, the consent decree required us to obtain an executive order issued by the California Air Resources Board, also known as CARB. We would have to obtain that certificate within two years or stop selling our products, regardless of who was causing the delay.

Previously, California had regulations and policies in place that we could work with. That all changed around the signing of the consent decree. But no one in our industry could have predicted the impact of those changes or what it would have on our day-to-day business.

To obtain the executive order from CARB, particular testing had to be performed. We had to have our software tested by an independent lab, SEMA Garage, at great expense. For example, it would cost us \$22,000, right now, to get the testing on the new Ford diesel done, only to have to wait for CARB to act.

Our new products were tested. And, without fail, they passed SEMA's comprehensive testing regime. We complied. We tested. We passed, and we provided the results to CARB, but they have not approved a single application in well over two years, placing our company on the brink of collapse.

Thank you.

Mr. PERRY. So, let us be clear here, Mr. Willis. First of all, what you should be is a poster for an American success story starting at the age of 16, right? And then creating a company with, I do not know, how many employees did you have at your peak before all this started? How many?

Mr. WILLIS. It was in excess of 30.

Mr. PERRY. Okay. So, you had 30 people selling millions of dollars of stuff and abiding by the law. What you do not know is that, under the Clean Water Act and the Clean Air Act, the EPA has been deputized, so to speak, by the American government to punish people under this wide-ranging purview, which is defined by the bureaucrats that work at the EPA.

Mr. Savage, I think you can attest to this. Are you familiar with PM2.5?

Mr. SAVAGE. Yes, Congressman.

Mr. PERRY. So, you know that Gina McCarthy testified that it was dangerous to human life at any level whatsoever at the very moment the EPA was doing a so-called study where they were pumping asthmatic children in a gas chamber full of particulate matter. Are you familiar with that?

Mr. SAVAGE. I am not.

Mr. PERRY. Well, I am. And what I am telling you is that the regulations that you have to abide by are made up and based on things called science that are not science.

You talk about, you know, climate change. I know we are going to hear about it because all of us are guilty of destroying the planet and humanity, but there is no global area surface temperature data for over half of the planet, but yet they used it. Where did they get the data? The data they used to prevail on you with all these regulations to make you a criminal, where did they get the data, Mr. Willis? You do not know. And you know what? No one else knows either, because there is not any. They made it up.

This is your Federal Government. You grew up, found your passion, tried to do the right thing, hired people in your community that realized dreams, right? They bought cars. They paid for mortgages. They paid for their children's education, based on your employment that you created out of thin air, out of nothing, out of hard work and an idea.

And the Federal Government came, and they did not say, "Hey, Mr. Willis, we want to work with you here. We want to just make sure we are doing the right thing. Maybe you do not realize X, Z, and Z. Can you help us understand, and can we work with you to keep on hiring those people, keep on employing those people, keep on doing the great things you are doing, maybe do it a little differently?" Even though it is all based on fraudulent data, by the way. Everything you are being accused of and being persecuted for is based on fraudulent data, everything.

But they would not even do that, would they? They immediately went—look, they went to the California Air Resources Board, not because they wanted to get the answer. Because they want you out of business. Because they want you out of business.

How long has it taken for you to get a response from CARB?

Mr. WILLIS. It has roughly—roughly 90 days is where we are in between communications with CARB.

Mr. PERRY. Okay. So, when did this whole communication start?

Mr. WILLIS. It started around 2022.

Mr. PERRY. Well, it is 2025, Mr. Willis. How many 90-day periods can you go through and sustain and pay your bills and your employees and your insurance and your taxes?

Mr. WILLIS. We are at the point of laying off employees and whatnot.

Mr. PERRY. I am sorry to hear it, Mr. Willis.

Mr. Chairman, I yield.

Mr. HIGGINS. The gentleman yields.

The Ranking Member, Ms. Lee, is recognized for questioning.

Ms. LEE. Thank you, Mr. Chair.

As I mentioned in my opening, EPA enforcement is crucial to protecting our air and our land, water, and health.

Mr. Schaeffer, you have spent your career in environmental enforcement, first as a part of the Federal Government and then as a watchdog to make sure that the Federal Government is doing its job.

I want to start by asking you just, you know, point-blank, is the EPA under the Trump Administration right now doing its job?

Mr. SCHAEFFER. I do not think so. And I do not think that is—

Mr. HIGGINS. Turn your mic on.

Mr. SCHAEFFER. I do not think so. And I think part of the problem is the Agency is hemorrhaging staff. It is losing a lot of its top

technical talent and shrinking by the day. So, they just do not have the resources to reach the problems.

Ms. LEE. Thank you. I think I agree. I do not think so either. The Trump Administration has effectively ceased enforcing our environmental protection laws, leaving us vulnerable to pollution and a variety of other environmental harms.

But I would like to talk about the reason why we are really here, which is Mr. Willis' case. Mr. Willis' company, PPEI, is a company that sells so-called tuners or defeat devices as well as the tunes that help vehicle owners reprogram their cars to skirt Clean Air Act emissions requirement.

A lot of these devices and tunes are used by diesel truck owners who want to roll coal in protest of emission requirements, resulting in giant plumes of black smoke coming from their vehicles. I do not know about you, but I absolutely have no desire to breathe that in.

Mr. Schaeffer, you explained in your testimony that the first Trump Administration made it a priority to enforce the Clean Air Act against these companies to try to prevent this. In your experience, when EPA identifies something as a national enforcement priority, what does that typically signal about the scope and seriousness of the problem?

Mr. SCHAEFFER. It signals the problem is very serious. EPA said that. Ms. Bodine was the political appointee for the enforcement program. She made that clear.

The Agency issued a series of guidance documents, memos, completed a study, put out an enforcement alert, sent out pamphlets to try to show how dangerous this pollution was and how widespread the tampering and deletion of emission control devices was, offered an opportunity for people to come in—and I know that may not have reached everybody, but that was in the public announcement—and reiterated that deleting monitoring devices on board these trucks was a criminal violation.

Ms. LEE. Are EPA enforcement priorities generally informed by the current President's own priorities and policies?

Mr. SCHAEFFER. I would say, no, for the most part. I do not know about this Administration, but normally the EPA tries to operate in a steady state mode when it comes to enforcement.

Again, this enforcement initiative was launched under President Trump's—in President Trump's first term and was continued by the Biden Administration.

Ms. LEE. Thank you. Despite defeat devices being an enforcement priority for Trump Administration, Mr. Willis and my Republican colleagues have alleged that the Biden administration weaponized enforcement against small businesses like Mr. Willis', causing them to go bankrupt.

Now, I understand that navigating Federal regulations can be challenging for small business owners, but we also have to acknowledge the scale of the public health impact we are dealing with when environmental laws are not followed.

To understand the facts of this case, I would like to seek unanimous consent to enter Mr. Willis' plea agreement into the record. I know you are not going to take five seconds to say yes, right?

Mr. HIGGINS. I am not certain that that—let us talk about that.

Ms. LEE. Okay. Well, I am going to come back for those 30 seconds or so.

[Discussion off the record.]

Mr. HIGGINS. Without objection.

Ms. LEE. Thank you so much.

According to this agreement and the Justice Department documents, companies in this industry have modified hundreds of thousands of vehicles nationwide, resulting in millions of pounds of excess pollution being released into our communities.

Mr. Schaeffer, when we are talking about millions of pounds of excess pollution being released into communities on that scale, what are the real-world health implications, and which communities typically bear the greatest brunt of this kind of environmental harm?

Mr. SCHAEFFER. So, the primary pollutant in these cases—pollutants, really, there are two. One is nitrogen oxide, as I mentioned. That is fuel for smog formation, and smog blankets very widespread urban metropolitan areas, Houston, Dallas, Los Angeles, and also the Central Valley. You have a lot of people with low incomes in those areas who are—just do not have the representation or the resources to push back.

Diesel particulates are another problem linked to cancer, linked to heart disease. This is not fake information. Lots of science to support EPA's concerns in that area, and it shows a public health problem.

Ms. LEE. Thank you. I appreciate your time, and I yield back.

Mr. HIGGINS. The gentlelady yields.

I would like unanimous consent to enter into the record a media report regarding Mr. Willis' company's achievements at recent testings with the Chrysler Corporation, and the excellence of the technology that he is deploying noted by the manufacturer.

Without objection.

We have—one of our witnesses has a hard exit, Mr. Savage, at 3:30. We have a Member in the hallway, I understand, to ask questions.

Okay. Mr. Savage, thank you for being with us today, and we are sorry you have a hard exit, but we are going to honor that commitment to you. We had a long delay on the Floor, but thank you for being here, sir.

Mr. SAVAGE. Thank you, Mr. Chairman.

Mr. HIGGINS. Yes, sir.

The Chair recognizes Ms. Pressley for 5 minutes for questioning.

Ms. PRESSLEY. Thank you. Republicans are working to dismantle the very protections that keep our air and water safe. They dismiss these—oh, I am sorry.

Starting over, Republicans are working to dismantle the very protections that keep our air and water safe, protections they dismiss as so-called burdens. But, when government makes it easier for corporations to pollute, the real burdens fall on the people.

Mr. Chair, I ask unanimous consent to enter into the record the September 2025 article from *WBUR* titled "Fear and Low Morale at New England EPA Office as it Loses a Quarter of its Staff Under Trump."

Mr. HIGGINS. Without objection.

Ms. PRESSLEY. This reporting makes clear that the mass firings in the EPA have destabilized our workforce and left communities without critical safeguards and also disrupted the livelihoods and lives of those who have been laid off.

In Boston's Chinatown, which I am proud to represent in the Massachusetts Seventh, families live at the intersection of two interstate highways. It is a vibrant neighborhood, rich in culture and history, but one that has been paying the price of pollution for generations. Study after study confirms what my constituents already know: Chinatown routinely has the worst air quality in Massachusetts because of toxic air emissions.

Mr. Schaeffer, what are the public health consequences for front-line communities when environmental protections are weakened?

Mr. SCHAEFFER. Increased risk of cancer, heart disease, asthma attacks, premature mortality from these pollutants. And I just, again, want to say these issues have been studied and studied and studied. There are areas where there is room for debate, and there are other areas where the evidence is really obvious about the hazard.

Ms. PRESSLEY. Thank you. Yes. Less environmental protections means more children with asthma, more elders with heart disease, and more families with preventable illnesses and lives cut short.

Parents in Boston know what it is like to watch their child wheeze on the way to school or to spend hours in an ER on a bad air quality day. Asthma alone causes 14 million missed school days a year nationwide, meaning our children are falling behind in class because of pollution in the air they breathe. And these burdens are not equally shared.

Mr. Schaeffer, what does the evidence tell us about racial disparities and exposure to pollution?

Mr. SCHAEFFER. I would say that, especially if you look at income, you do see a disparity. Pollution disproportionately affects low-income communities, and that is because they tend to be located near factories, near highway centers, near construction sites, ports. And, of course, in many of those neighborhoods you have a majority of African-American or Latino or Asian-American residents.

Ms. PRESSLEY. That is right. And Black children are twice as likely to develop asthma, because communities of color in Boston and across the country are disproportionately forced to breathe dirtier air, drink less safe water, and be subject to risks they did not create.

In Mattapan and Roxbury, two predominantly Black and Brown neighborhoods in my district, children are seven times more likely—seven—to go to the emergency room for asthma attacks compared to children in more affluent neighborhoods just a couple of miles away.

Now, Republicans want to strip away some of the only tools these communities have to hold polluters accountable when companies refuse to follow the law.

Mr. Schaeffer, how do the policies we are discussing today work to ensure companies account for the costs of their pollution?

Mr. SCHAEFFER. First of all, I want to sort of reiterate. We are talking about aftermarket defeat devices that are sold to strip out

or disable emission controls in trucks. I mean, common sense ought to tell you that is wrong. It is wrong to do that. I do not know how many pamphlets or notices you need to read before you understand you really should not do that.

If you do, EPA has found nitrogen oxide emissions will be 310 times higher than they are from a diesel truck that meets the standards. The particulates from diesel exhaust will be—I cannot remember—many times higher, at least an order of magnitude. The same for hydrocarbons.

So, you are really talking about controls of that pollution that meet the limits or no controls at all in a lot of these cases, and the impact is pretty devastating.

Ms. PRESSLEY. I agree. The choice is simple: defend corporations who poison our air or protect the children who are struggling to breathe. I urge my colleagues to make the right choice and ensure polluters, not families, pay the price for their pollution. This is a matter of lives being cut short and futures stolen. There are up to 200,000 deaths every year from air pollution.

I yield back.

Mr. HIGGINS. The gentlelady yields.

If there are no further Members, in closing, I want to thank our witnesses once again for their testimony today.

And I yield to the Ranking Member for her closing remark.

Ms. LEE. Thank you, Mr. Chairman.

Today, the Majority spent its time expressing deep concern about the government being too harsh on corporations that violate environmental law.

We heard, of course, somewhat sympathetic testimony about the burden of criminal penalties, about the need for proportional responses. Yet, this is the same committee that last week voted to vastly expand criminalization. And, in fact, later today, we will vote on two of those measures.

And I expect every member of the Majority to once again support these bills. The same voices lamenting government overreach when it comes to environmental enforcement have no problem expanding the incarceration system for children when it serves their agenda.

I have serious concerns about our overreliance on overcriminalization as a solution to social issues. I believe we incarcerate too many people in this country. I believe the criminal legal system disproportionately harms communities of color and people without resources. I believe we should be skeptical of expanding criminal penalties as a first resort.

But this Committee applies these principles selectively. When environmental enforcement protects communities from toxic pollution, suddenly we care about proportional punishment. When it is the corporations that face accountability for poisoning the air children breathe, suddenly criminal penalties are excessive. When businesses with multimillion dollar monthly revenues face consequences for breaking the law, suddenly we discover concerns about government overreach.

Where is the same compassion for the teenager caught with marijuana? Where is this concern about disproportionate punishment for the mother struggling with addiction? Where is the skepticism about criminalization when it affects people who do not have

corporate lawyers and public relations teams? The answer is nowhere, because this is not really addressing overcriminalization in our government. It is about who deserves protection from government power and who does not.

While we debate whether corporations are being treated unfairly, children in overburdened communities are developing asthma at rates that should shock us. My community is one that suffers from amongst the highest in the country. While we worry about the burden on businesses, families are breathing air poisoned by devices specifically designed to bypass pollution controls.

The selective application of justice principles reveals everything about our priorities. Environmental crimes that harm entire communities get sympathy hearings. Street-level offenses get mandatory minimums. Corporate executives get understanding. Working families get prison sentences.

This Committee could choose to examine real Federal law enforcement issues, but it will not. That choice tells us who they believe matters and who does not. It tells us whose suffering counts as real injustice and whose does not. It tell us which crimes deserve mercy and which deserve punishment.

The communities breathing polluted air, like mine, deserve better. The children in those communities deserve a government that protects them, not one that protects the corporation that is poisoning them. They deserve the same concern this community shows for corporate defendants. Until every person gets the same consideration we have shown here today for environmental law breakers, our criminal legal system will remain fundamentally unjust.

I yield back.

Mr. HIGGINS. The Ranking Member yields.

I recognize myself for closing remarks.

I think it is important that we focus on the regulatory enforcement when it comes to what has happened to these Americans. Literally, the Federal Government has crushed these American families' lives because they were alleged to be in violation of some regulatory complexity.

Is this really the country we want to live in? We want tactical teams hitting American homes who are under no criminal investigation on alleged regulatory violations? Seriously?

If a grocery store or a hardware store does not follow the exact regulatory compliance requirements, we want the grocer and the hardware guy, their home hit at night? We want to grind them under the wheels of the Federal Government, crush their families. How dare they be in violation of some Federal regulation.

So, well, pollution is dangerous. They sell a lot of things in hardware stores that have been used for murders. They sell alcohol in grocery stores. Shall we have tactical teams hit their homes? If a gas station or a daycare center fails to check every box on a Federal form, shall we hit their homes with tactical teams? Is that the country that we want? Is this the country that veterans like me have served?

I think it is righteous for us to question this, is my point, without throwing out, as my mother used to say, the baby with the bath water. There is a place for Federal regulations, and there is a requirement for compliance, yes, yes. But we should have a Federal

Government that reaches respectfully into the lives of the Americans we are supposed to serve and advises them, "You may be out of compliance here."

If your first interaction with the Federal Government regarding a regulatory violation, allegations of a regulatory violation, is a tactical team hitting your house, something is wrong, and we have a responsibility as a committee to look at that. That is what we have attempted to do today, just the beginning, this hearing. We have a lot more.

With that and without objection, I want to remind Members they have five legislative days within which to submit materials and additional written questions for the witnesses, which will be forwarded to the witnesses.

If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 3:41 p.m., the Subcommittee was adjourned.]

