

**Statement of the Honorable Christine Todd Whitman
to the
House Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
Washington, D.C.**

June 11, 2019

Chairwoman DeGette, Ranking Member Guthrie, members of the subcommittee: thank you for providing me and three of my fellow former EPA administrators the opportunity to share with you our concerns about the current direction of the EPA.

I am honored to be on this panel with Lee Thomas, Bill Reilly, and Gina McCarthy, each of whom has, over the course of their tenures at the EPA left America's air cleaner, its water purer, and its land better protected than they found it.

Next year will mark 50 years since the enactment of the nation's first major environmental law, the National Environmental Policy Act, and the establishment, by President Nixon, of the Environmental Protection Agency. It is worth noting that NEPA, and virtually all of the nation's subsequent significant environmental laws, were enacted with strong bipartisan support.

I make this point because it is important to note that for much of the last half century – and certainly in the early decades of the nation's modern commitment to protecting the environment and public health – this important mission enjoyed broad bipartisan consensus.

I should also point out that I have come to know most of my predecessors and several of my successors and each of those I've known took very seriously EPA's fundamental mission during their tenure and beyond – to protect our nation's environment and the public health from the dangers of pollution in all of its many forms.

Sadly, and alarmingly, that no longer seems to be the case. Today, as never before, the mission of EPA is being seriously undermined by the very people who have been entrusted with carrying that mission out.

Protecting the environment and the public health has never been a partisan issue. Three of the four of us before you today served in Republican administrations. None of us are here looking to score political points.

We are here because we are deeply concerned that decades of environmental progress are at risk of being lost because of two misguided beliefs. First, that environmental policy over the years has been driven by ideology instead of by science. Second, that environmental protection and economic prosperity are mutually exclusive goals.

In fact, the exact opposite is true in both cases. It is the current administration that is using ideology to drive environmental policy instead of letting science drive policy.

And the record clearly shows that environmental protection and economic prosperity do go hand-in-hand.

Over the 37 years from 1980 to 2017, The United States' Gross Domestic Product grew by 165 percent, while the total emissions of the six major air pollutants dropped by 67 percent. And this occurred while energy consumption grew by 25 percent, the population of our nation jumped by 44 percent, and vehicle miles driven more than doubled, growing by 110 percent.

The Retreat from Science

It was no secret that a Trump administration would take a jaundiced view of the EPA if it came to office. As a candidate, Mr. Trump made that very clear. During the 2016 campaign, Mr. Trump said of the EPA, "We are going to get rid of it in almost every form. We're going to have little tidbits left but we're going to take a tremendous amount out."

As it turns out, he wasn't just talking. Just weeks into his presidency, President Trump acted on his campaign rhetoric by proposing to cut EPA's budget by one-third – which would have been a \$2.7 billion hit to EPA's budget – and signing an Executive Order that signaled a 180-degree shift in how the EPA, and other departments and agencies connected with environmental protection, would conduct themselves going forward.

In the years since, the Administration has been on a steady march to reduce, if not eliminate, the role of science in developing and implementing environmental policy. Among the more egregious actions are these:

- Dismissing several members of EPA's Science Advisory Board to make room for industry representatives;
- Pulling the United States out of the Paris Climate Accord;
- Relaxing regulations on toxic air pollution by dropping the "once in, always in" policy that sought to make permanent reductions in dangerous air emissions from industry;
- Rolling back vehicle emission standards, even in the face of auto industry opposition;
- Seeking to limit EPA's ability to consider certain scientific studies;
- Repealing rules governing the monitoring of methane emissions;
- Disbanding EPA's Particulate Matter Review Panel;
- Reducing environmental enforcement to a 30-year low; and,
- Limiting the scientific information and proscribing the methodologies used in preparing the next National Climate Assessment.

Just last week, the *New York Times* published a running tally of environmental rules that the Trump administration either has or is working to eliminate. They counted a total of 84 such rules, 49 which have already been rolled back and another 35 that are in progress of being rescinded. Of those already rolled back, 10 affect air pollution and emissions rules, 3 impact toxic substances and safety, and 4 target clean water protections.¹

This unprecedented attack on science-based regulations designed to protect the environment and public health represents the gravest threat to the effectiveness of the EPA – and to the federal government’s overall ability to do the same – in the nation’s history.

Influence of the Regulated Community

Every EPA administrator has an obligation to listen to all sides of any issue she or he has to consider. During my tenure at the agency, I made a point of meeting with representatives from both industry and from the environmental community, as well as, of course, from EPA’s own scientists and environmental experts not affiliated with any group.

These meetings were sometimes difficult, as one side or another not only argued their points but also questioned my motives. Nevertheless, I believed it was important to give all those with an interest in what we were considering a chance to air their views. I also believed it would be a mistake – both a process mistake and a policy mistake – to grant one side favored access over another. Apparently the leadership of the EPA in the Trump administration does not subscribe to this approach to policy making.

Last year, the *American Journal of Public Health* published a study which sought to determine whether the Trump EPA, during its first six months in office, was shifting the Agency’s focus from the public interest to the interest of the regulated community. This peer-reviewed study studied Administrator Scott Pruitt’s schedule, conducted lengthy interviews with 45 former and current EPA employees, and examined policy changes and statements by the President and other administration officials.

The study concluded that, “The Trump administration has explicitly sought to reorient the EPA toward industrial and industry-friendly interest, often with little or no acknowledgement of the agency’s health and environmental missions.”²

The study posited that the EPA, in the first months of the current administration, had “open[ed] the door to full-blown regulatory capture,” and concluded that “The consequences of this for public and environmental health would be far-reaching.” Now, nearly two-and-a-half years into President Trump’s term, it is clear that the study’s warning has come to pass. By all accounts, industry has captured EPA’s regulatory process. This is a disaster for the agency, the environment, and public health.

¹ <https://www.nytimes.com/interactive/2019/climate/trump-environment-rollbacks.html>

² <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2018.304360>

I am not opposed to deregulation in principle. Indeed, as science advances and experience often teaches, some regulations outlive their usefulness and regulatory reform can, if done properly, produce greater results than originally envisioned. But changes to, or the elimination of, existing regulations must be driven by careful scientific analysis and solid facts. Deregulation for its own sake is rarely prudent and often unwise.

Concern for Public Health Weakened

Although many people think of the EPA as focused only on protecting the environment, the agency is also charged with protecting public health from environmental hazards. That part of its mission is no less important than protecting the environment. Indeed, the two are inextricably linked.

The dangers to public health from dirty air, polluted water, and contaminated land are well known to the members of this committee. Over the past 50 years, the United States has made significant progress in improving the environment and safeguarding public health from pollution. Yet, millions of Americans, especially children, continue to suffer from health effects caused by pollution. We, as a nation, have accomplished much, but we still have more to do.

That is why it is almost impossible to understand the EPA's failure to commit to continue to fund research projects at the 13 Children's Environmental Health and Disease Prevention Research Centers that have, for more than 20 years, conducted research that has contributed to our understanding of how various pollutants affect the health of America's children.

EPA's own Children's Health Protection Advisory Committee has urged the EPA to continue to fund these centers, yet the administration has refused to commit to doing so. As the committee's chair wrote in late 2017, "The network of collaborating Children's Centers advances the field of children's environmental health more profoundly and significantly than what can be accomplished with individual studies."

EPA's leadership's refusal to affirm its commitment to continue to fund these centers through EPA's Science To Achieve Results program has caused some of the centers to begin to wind down their work. It would be tragic to lose the work these centers are doing to research health effects of pollution on children and to inform local health workers of how they can help families protect their health of their children.

Erosion of EPA Morale

I have seen studies that have concluded, and I have personally found, that morale at EPA is at a low point. At the end of last year, the Partnership for Public Service and Boston Consulting Group released a study that found that of all midsize federal agencies, EPA ranked 22nd of 27 as a place people thought was a good place to work and that provided satisfaction with both their jobs and their organizations.³ This was actually down from the previous year, so things grew worse in the second year of the current administration. My own experience in speaking

³ <https://bestplacestowork.org/rankings/overall/mid>

with current and former career leaders at EPA echoes those findings and has convinced me that morale at the agency is at a low ebb. This is reflected in the number of departures of career scientists and others from the agency.

The *Washington Post* reported this past September that in the first 18 months of the Trump administration, more than 1,600 career employees left EPA. During that same period, only 400 new hires came on board.⁴

As the *Post* reported, “Those who have resigned or retired include some of the agency’s most experienced veterans, as well as young environmental experts who traditionally would have replaced them — stirring fears about brain drain at the EPA. The sheer number of departures also has prompted concerns over what sort of work is falling by the wayside, from enforcement investigations to environmental research.”

A 33-year career civil servant who resigned from her job as a scientist and supervisor in EPA’s Region 10 office in Seattle gave the *Post* her reason for leaving. “I felt it was time to leave given the irresponsible, ongoing diminishment of agency resources, which has recklessly endangered our ability to execute our responsibilities as public servants.... I did not want to any longer be any part of this administration’s nonsense.”

I have heard much the same from many of those at EPA with whom I have spoken or heard from over the past several years. With almost half of EPA’s workforce eligible to retire by 2023, how will the agency recruit new scientists and policy experts who have committed their careers to protecting the environment when its reputation as anti-science and its agenda of undoing environmental policy is so widespread? The administration is driving people out and keeping potential new people away. One might almost think this is part of a deliberate strategy to gut the EPA.

EPA and the States as Strong Partners

Experience has proven time and again that partnerships between EPA and the states often can advance environmental and public health protection more effectively than either acting alone. But this is only the case when the partnerships are strong – and neither member of the partnership is weak.

Strong federal regulations to protect our air, water, land, and human health are absolutely necessary. We need only look back at conditions prior to the advent of modern environmental policymaking in the early 1970s to know that. But the states have an important role to play, which is why many of our most important environmental laws are designed for EPA to delegate authority to the states.

⁴ https://www.washingtonpost.com/national/health-science/with-a-shrinking-epa-trump-delivers-on-his-promise-to-cut-government/2018/09/08/6b058f9e-b143-11e8-a20b-5f4f84429666_story.html?noredirect=on&utm_term=.a1181a468301

The Trump administration has talked about returning power to the states – a principle to which I, as a former governor, am not opposed. But doing so must not be accomplished by weakening the EPA and reducing state funding. We need both the EPA and the states to be strong partners. We also need a strong EPA that can step in when local or state governments fail in their responsibility to safeguard the environment and the public health in their communities.

Climate Change and the Planet's Oceans

Perhaps the most discouraging – and dangerous – fallout of the approach of the current administration at EPA is the abandonment of any concern about the threat posed by global climate change. The earth's climate is changing. It has always changed. We live on a dynamic planet which has, over 4.5 billion years, seen numerous examples of climate change. Sometimes the change is relatively minor and benign. But often, climate change has had a dramatic and disastrous affect on life on earth.

Never in our planet's history, however, has climate change been directly affected by life on earth. Until now. There is no doubt that human activity is accelerating global climate change and human beings, therefore, have a moral obligation to act to decrease their influence on earth's climate. We are not the sole cause of climate change. But we are having a real effect.

I am especially interested in the affects of climate change on the world's oceans. Seventy-one percent of the earth's surface is covered by its oceans. From space, the earth is seen, as Carl Sagan once wrote, as a small blue dot. And as the former governor and lifelong resident of a coastal state, I cannot help but focus on the damage climate change is doing to our oceans.

After all, New Jersey's culture, economy, and history is linked directly to the Atlantic Ocean. My state and its people has an almost mystical connection to the sea. It's impossible to think of New Jersey without what we call "the shore." And I know Congressman Pallone, who chairs your full committee, feels the same way.

Oceans bear the brunt of climate change. The most obvious way global climate change is affecting the oceans is in sea level rise. But our oceans are also undergoing other troubling changes, including:

- Growing acidification – the acidity of our oceans has increased by 30 percent since the onset of the Industrial Revolution, disrupting the ocean food chain;
- Increasing coral bleaching from rising ocean temperatures. From 2014-2017, about half of the planet's coral was under stress from higher ocean temperatures. In 2016 and 2017, half of shallow water coral in the Great Barrier reef died;
- Intensifying coastal flooding. EPA's own data shows that coastal flooding in the Mid-Atlantic states has increased dramatically since the 1950s. Floods are "now at least 10 times more common than they were in the 1950s," according to EPA. For the skeptics I have two words for you: Superstorm Sandy;
- Expanding dead zones. Dead zones in the ocean are caused by low levels of oxygen in the water, which kills off life in that zone. A 2014 study led by the Smithsonian found that "nearly all ocean dead zones will increase by the end of the century because of climate change.";

- Increased threat to the survival of creatures that are dependent on cold seas, such as seals, walruses, polar bears, and penguins. And just last month, research found that a recent massive die off, from starvation, of puffins in Alaska may be linked to climate change; and,
- Increase in marine disease and the spread of invasive species resulting from warmer water temperatures.

Last week, 24/7 Wall Street, a financial firm based in Delaware, issued a study that concluded that 35 American cities might be rendered uninhabitable by the end of this century due to climate change. Nine of those cities are in New Jersey.

All of the results of climate change threaten the health of our oceans, and what threatens the health of our oceans threatens life on earth.

I recognize that there are some skeptics about the science behind climate change. Those skeptics seem to be overrepresented in the Trump administration. But controversy over the validity of climate science should have been set aside a long time ago. The science is not confined to computer models any more. We have physical observations consistent with what climate scientists anticipate.

Scientists from around the world, participating in the IPCC, have been monitoring climate research for more than 30 years now. As their confidence grew about the reality and severity of global warming, we should have treated climate change as a risk-management issue.

Our military is treating it that way. In 2014, the Pentagon declared that climate change posed “immediate risks” to national security. Threats to American military installations caused by rising sea levels, unrest and instability in areas experiencing food shortages, land loss, and other effects of climate change, and an expected increase in extreme weather events are just some of the events that will tax the resources of our Armed Forces.

We should not overlook that one of the ways to manage the risks, and reduce greenhouse gas emissions that are helping to drive climate change, is the promotion of innovative in the production of clean energy. EPA can play a role in providing the scientific justification for greater innovation in this important area. The new generation of small modular nuclear reactors, for example, hold great promise for clean energy production. The production of nuclear energy produces no greenhouse gases. In addition, for such alternate sources of energy such as solar and wind to become truly widespread and reliable we need to achieve much greater innovation in battery storage capacity, as well as find ways to reduce the footprint of solar and wind farms. The rest of the world is investing in these technologies; we should not be left behind.

Some may deny that climate change is real, but no reasonable person can deny that it may be real. And if it may be -- if there is any possibility that the worst projections of climate change could be correct -- the proper and prudent response from public officials is to recognize that risk and help the nation manage it. We have wasted far too much time quibbling about the science rather than managing the risks.

Aggressive Congressional Oversight is Needed

There is no doubt in my mind that under the current administration the EPA is retreating from its historic mission to protect our environment and the health of the public from environmental hazards. This administration, from the beginning, has made no secret of its intention to essentially dismantle the EPA. Everything I've seen over the past two-and-a-half years suggests that this remains the Trump administration's goal.

Therefore, I urge this committee, in the strongest possible terms, to exercise Congress's oversight responsibilities over the actions and direction of EPA in all of the areas I have discussed, and especially when it comes to climate change.

The United States cannot, alone, reduce the contributions human beings around the world are making to the growing threat of global climate change. But the world cannot accomplish that goal without the leadership of the United States. If the administration continues to dismiss the very real danger posed by climate change, then the Congress must do all it can to restore American leadership to the global effort against climate change.

Thank you.