

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

**Subcommittee on Environment, Manufacturing, and Critical Materials Ranking Member
Paul D. Tonko**

***Hearing on “Safeguarding American Prosperity and People’s Livelihoods: Legislation to
Modernize Air Quality Standards”***

February 15, 2024

Thank you, Mr. Chair. The Clean Air Act is the most successful environmental law in our nation’s history. No one can deny that we have significantly reduced air pollution while growing our economy. According to EPA, between 1970 and 2019, aggregate emissions of common air pollutants dropped 77 percent while the U.S. gross domestic product grew 285 percent. And yet, in the past, my colleagues across the aisle have pointed to this progress as a reason why we should not worry about further protection of public health, rather than as proof that the Clean Air Act is working incredibly well as intended.

Because despite the past five decades of success, according to the American Lung Association’s 2023 State of the Air Report, 1 in 3 Americans still live with unhealthy levels of air pollution. In my opinion, and in the opinions of many doctors, scientists, public health experts, and environmental organizations, there is much more work to do. The National Ambient Air Quality Standards, or NAAQS, are a critically important part of achieving clean air for all Americans.

As we have discussed at previous hearings, the NAAQS are special. Not only because these standards protect Americans from dangerous pollution, like soot and smog, but because they are required— by law— to be based on the latest science to be protective of our health without consideration of costs. Last week, EPA finalized an updated standard for fine particulate matter. This is just the latest example of this law working exactly as intended. EPA’s independent science advisors on the Clean Air Scientific Advisory Committee— upon reviewing the latest scientific literature— determined that the previous standard was not health protective and recommended strengthening it.

EPA had a public comment process and decided to lower the annual standard from 12 to 9 micrograms per cubic meter to provide increased health protection, consistent with the recommendations of EPA’s science advisors. Moving forward, Americans will get to experience tremendous benefits from this rule. Most importantly, it will save lives, avoiding 4,500 premature deaths. It will also reduce health care costs from avoided hospital visits and asthma cases.

I applaud EPA for following both the law and the science to strengthen the annual PM2.5 standard. Unfortunately, the bill before us today would make updates like this one much more difficult. It would double the amount of time between reviews of standards. It would inject cost

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considerations and attainability into the standard setting process. And, with overly broad language, the bill would increase the number of events that may be considered exceptional. These provisions will drastically weaken what has been an incredibly effective public health law. We have proven time and time again that growing our economy and protecting public health are not at odds.

Unfortunately, the proposal we are examining today does not share that view, and I cannot support legislation that would undermine the current process of setting health-protective standards based on sound, updated science. The Clean Air Act is working effectively as intended. It continues to drive innovation, protect Americans' health, and enable economic growth.

Rather than change course, as proposed by the majority, we should embrace this law's success and look to build upon that tremendous history moving forward. I look forward to hearing today's discussion. With that, I yield back.