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6 HEARING ON:

7 MARKUP OF H.R. _____, AIR QUALITY STANDARDS IMPLEMENTATION

8 ACT OF 2024

9 WEDNESDAY, MARCH 6, 2024

10 House of Representatives,

11 Subcommittee on Environment, Manufacturing, and

12 Critical Materials,

13 Committee on Energy and Commerce,

14 Washington, D.C.

15

16 The Subcommittee met, pursuant to call, at 2:30 p.m., in

17 Room 2123, Rayburn House Office Building, Hon. Earl L.

18 "Buddy" Carter [Chairman of the Subcommittee] presiding.

19 Present: Representatives Carter, Palmer, Crenshaw,

20 Joyce, Weber, Allen, Balderson, Fulcher, Pfluger,

21 Miller-Meeks, Obernolte, Rodgers (ex officio); Tonko,

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22 DeGette, Schakowsky, Sarbanes, Clarke, Ruiz, Peters,
23 Barragan, and Pallone (ex officio).
24

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25 Staff Present: Kate Arey, Digital Director; Sarah Burke,
26 Deputy Staff Director; David Burns, Professional Staff
27 Member; Michael Cameron, Professional Staff Member; Jerry
28 Couri, Deputy Chief Counsel; Nick Crocker, Senior Advisor and
29 Director of Coalitions; Sydney Greene, Director of
30 Operations; Rebecca Hagigh, Executive Assistant; Jessica
31 Herron, Clerk; Nate Hodson, Staff Director; Calvin Huggins,
32 Staff Assistant; Tara Hupman, General Counsel; Noah Jackson,
33 Clerk; Daniel Kelly, Press Assistant; Sean Kelly, Press
34 Secretary; Lauren Kennedy, Clerk; Alex Khlopin, Staff
35 Assistant; Peter Kielty, General Counsel; Emily King, Member
36 Services Director; Elise Krekorian, Counsel; Drew Lingle,
37 Professional Staff Member; Mary Martin, Chief Counsel;
38 Brandon Mooney, Deputy Chief Counsel; Kaitlyn Peterson,
39 Clerk; Karli Plucker, Director of Operations (shared staff);
40 Carla Rafael, Senior Staff Assistant; Emma Schultheis, Clerk;
41 Peter Spencer, Senior Professional Staff Member; Keegan
42 Cardman, Minority Staff Assistant; Timia Crisp, Minority
43 Professional Staff Member; Waverly Gordon, Minority Deputy
44 Staff Director and General Counsel; Tiffany Guarascio,
45 Minority Staff Director; Caitlin Haberman, Minority Staff

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46 Director, Environment, Manufacturing, and Critical Minerals;
47 Perry Hamilton, Minority Member Services and Outreach
48 Manager; Emma Roehrig, Minority Staff Assistant; and Kylea
49 Rogers, Minority Policy Analyst.
50

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51 *Mr. Carter. The Subcommittee will come to order.

52 The chair recognizes himself for an opening statement.

53 Welcome to the Environment, Manufacturing, and Critical
54 Materials Subcommittee's markup of a Committee Print to
55 reform the broken national ambient air quality standards
56 process.

57 Just 3 weeks ago, this Subcommittee held a legislative
58 hearing on the print being marked up today. We received
59 testimony from air _ from an air quality regulator in my home
60 State of Georgia, the National Association of Manufacturers,
61 and the American Forest and Paper Association. We also heard
62 from the litigation arm of the environmental left,
63 Earthjustice.

64 The testimony we received was clear. The NAAQS process
65 is broken from beginning to end. Even as standards approach
66 natural background levels, the Clean Air Act's rigid
67 timelines and outdated assumptions are making it nearly
68 impossible for states to implement effective plans. And
69 while states work on one set of standards, EPA imposes
70 another round, all while ignoring the major sources of air
71 pollution and the practical experience of state regulators.

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72 The result is impractical requirements that create
73 permit gridlock and little prospect for meaningful
74 improvement in air quality. Meanwhile, America is less
75 competitive. High-paying jobs will leave our shores only for
76 heavy manufacturing and production of critical goods to be
77 done in foreign locations with weaker environmental and labor
78 standards.

79 Today's Committee Print makes practical reforms to the
80 NAAQS process to help states effectively address air
81 pollution while avoiding the harmful impacts in the current
82 process. The legislation extends the mandatory timeline of
83 review of air quality standards to provide the agency and the
84 states more time to implement existing standards and to
85 access and develop revisions to the standards.

86 It provides more discretion for the EPA Administrator to
87 focus on actual attainability of the standard when choosing
88 among a range of standards found to be protective of public
89 health. The bill also provides essential exclusions for
90 reactions to mitigate wildfires, something that we know is
91 the largest contributor to particulate matter concentrations.

92 Some new additions to today's draft based on feedback

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93 from our hearing include measures to ensure that states are
94 provided the opportunity to revise their statement
95 implementation plans when EPA finds deficiencies. It also
96 provides language to ensure that the state air pollution
97 control agency representatives on the Clean Air Science
98 Advisory Committee come from different regions of the
99 country.

100 Lastly, the legislation provides the regulated community
101 certainty that there will be a _ that they will be able to
102 construct their facilities, provide high-paying jobs, and
103 bolster our manufacturing base, if they completed their
104 pre-construction permitting prior to the final designation of
105 attainment areas for the recent PM 2.5 standards.

106 Contrary to assertions that Republicans are putting
107 polluters over people, we are simply making practical fixes
108 that will help the states implement important health
109 standards and avoid harmful impacts to people's health and
110 welfare. Nothing in the legislation prevents the EPA from
111 updating air quality standards faster than every 10 years if
112 the Administrator determines it necessary to protect public
113 health.

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114 Nothing prevents states from imposing stricter standards
115 if they choose. We actually reduce unnecessary burdens on
116 states like California that are doing everything possible to
117 address serious air quality problems. And under this
118 legislation the regulated community must apply the best
119 available control technology and lowest achievable emission
120 rate technology at covered facilities.

121 Today's draft legislation has many features that should
122 garner bipartisan support. For example, there are
123 commonsense reforms to ensure that actions to mitigate
124 wildfires are not discouraged. States are assisted in
125 crafting the implementation plans to meet their own unique
126 needs, and the West Coast is not indiscriminately punished
127 because of air pollution from China that is out of their
128 control.

129 I encourage my Democratic colleagues to work with us to
130 reform the NAAQS process to ensure that it works for the
131 regulated community and co-regulators. As a former medical
132 professional, and the current chair of a panel that features
133 numerous medical doctors, I echo Dr. John Joyce's comments
134 from our legislative hearing that protecting our

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135 constituents' health is not a slogan to us. It is what
136 several of us have dedicated our lives to.

137 I look forward to marking up today's legislation that
138 will reform an antiquated process, lay the groundwork for
139 American manufacturing to succeed, and do it all while
140 protecting our constituents' health.

141 I now recognize the gentleman from New York,
142 Representative Tonko, for 5 minutes for an opening statement.

143 *Mr. Tonko. Thank you, Mr. Chair. And today the
144 Subcommittee will consider the Air Quality Standards
145 Implementation Act of 2024, which would radically reform and,
146 in my opinion, undermine the Clean Air Act. For more than
147 half a century, the Clean Air Act has provided EPA with the
148 authority necessary to drastically reduce soot, smog, and
149 other dangerous air pollution.

150 This has been done using a process that sets national
151 ambient air quality standards to protect public health with
152 an adequate margin of safety using the latest science and
153 without consideration of cost. This process has been wildly
154 successful. Criteria air pollutants have been reduced
155 significantly while our economy has indeed grown.

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156 Despite this undeniable success, the proposal before us
157 today would completely upend this proven standard-setting
158 process. So it should not surprise anyone that several
159 dozens of environmental, public health, and medical
160 organizations have opposed this legislation. They rightly
161 recognize that despite our national progress reducing
162 pollution millions of Americans still breathe unhealthy air,
163 and I cannot see how this proposal would enable the air
164 quality improvements necessary to protect every American.

165 As we discussed at the legislative hearing, this
166 proposal would drastically change the NAAQS process, doubling
167 the time between reviews and injecting feasibility into the
168 standard-setting process among other reforms. Make no
169 mistake, these changes will make it more difficult for the
170 EPA to protect Americans from air pollution.

171 Rather than seeking to undermine the Clean Air Act, we
172 should celebrate it. We should continue to be confident that
173 Americans can have both clean air and a strong economy, and
174 we should continue to expect that the Clean Air Act would
175 drive innovation, supporting the development and the
176 deployment of pollution control technologies that would not

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177 have occurred absent strong health-protective standards.

178 American children today are better protected from
179 unhealthy levels of air pollution because more than 50 years
180 ago Congress had that foresight to enact a law that requires
181 standards to be regularly updated based on our latest and
182 improved understanding of how pollution affects human health.
183 We should strive for that foresight today, setting the
184 conditions to allow future generations of Americans to
185 benefit from healthier air and, indeed, a stronger economy as
186 our predecessors have done for us.

187 We know it can be done. We know this proposal risks
188 taking us backwards, and I look forward to today's
189 discussion.

190 And, with that, Mr. Chair, I yield back.

191 *Mr. Carter. The gentleman yields back.

192 I now recognize the chair of the full Committee, Chair
193 Rodgers, for 5 minutes for an opening statement.

194 *The Chair. For decades, America has been the number
195 one place to do business while maintaining some of the best
196 air quality in the world. We have achieved this success in
197 part through laws that enable, not disable, the productive

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198 capacity of Americans, their communities, and the industries
199 that support them.

200 Unfortunately, that prosperity, that opportunity to work
201 and thrive is being threatened as the Biden Administration
202 advances radical environmental policies that will crush the
203 American economy. The Biden EPA's new standard for fine
204 particulate matter, PM 2.5 for instance, will devastate
205 American manufacturing, which we rely upon to improve
206 people's lives and our economic leadership.

207 These efforts undermine American economic activity,
208 which directly harms public health and welfare. And the
209 rules fail to address primary sources of particulate
210 pollution like wildfires. The new rules goes well beyond the
211 congressional intent expressed in the Clean Air Act to
212 promote reasonable actions to limit or reduce emissions and
213 pollution.

214 Its harm would extend to nearly every sector of our
215 economy. In addition to manufacturing, the rule would hurt
216 power generation, agriculture, construction, and forestry.
217 It jeopardizes hundreds of billions of dollars in U.S.
218 economic activity and millions of jobs, and making it nearly

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219 impossible to build new manufacturing facilities. It would
220 make efforts to secure our supply chains and reduce our
221 dependence on countries like China nearly impossible.

222 By all measures, the Nation's air quality has improved
223 dramatically since the Clean Air Act was enacted, and current
224 standards are improving quality even more. The EPA itself
225 has already conducted _ concluded that current standards are
226 protective of public health and has reported that total
227 emissions of criteria air pollutants have dropped 73 percent
228 since 1980.

229 The data is clear. U.S. air quality is the best in the
230 world and only getting better. Despite this progress, the
231 Biden EPA is taking steps to introduce these new standards
232 that are completely divorced from reality. By all measure,
233 the Nation's air quality has improved dramatically since
234 Congress passed the Clean Air Act.

235 Instead of more harmful regulations, what we need are
236 reasonable solutions that are appropriately balanced,
237 protecting our public health while ensuring America continues
238 to maintain its economic leadership. That is the approach we
239 have taken for decades and it has worked.

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240 As air quality improves, Air Quality Act provisions that
241 were established decades ago when air quality was much worse
242 are now becoming counterproductive. As new air quality
243 standards get closer to natural background levels, there is
244 less room for industry to acquire necessary permits or
245 further cut their emissions.

246 What we need to be doing is updating our air quality
247 standards responsibly in a way that reflects the reality of
248 today and what states and communities can actually achieve.
249 We cannot allow outdated requirements to be weaponized
250 against U.S. economic prosperity and the interests of
251 Americans.

252 Today we will mark up the Air Quality Standards
253 Implementation Act of 2024. This legislation ensures
254 efficient, effective implementation of air quality standards
255 for the states, which are responsible for meeting public
256 health goals. The legislation will ensure that measures to
257 implement health protections are realistic and balanced in
258 their approach.

259 It will enact reasonable requirements that states can
260 actually implement. It will provide time necessary for

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261 states and the EPA to implement existing standards and to
262 review and develop workable future standards that keep with
263 the goals of the Clean Air Act. The legislation will also
264 ensure regulators follow the law when considering how to
265 promote healthy communities and take into account factors
266 like adverse public health, welfare, social, economic, and
267 energy impacts.

268 It will make it easier to reduce wildfire risk,
269 something that is especially important for my home State of
270 Washington, and provide time to implement the new particulate
271 matter standards in a way that will help reduce the worst
272 economic harms of the Biden Administration's policies.

273 We must update air quality standards responsibly, in a
274 way that reflects reality. This discussion draft will ensure
275 that measures to implement health protections are realistic
276 and balanced in their approach. Protecting public health and
277 our economy are not mutually exclusive goals, but to achieve
278 this requires that we rethink how to address pollution levels
279 that are outside our control. This legislation is essential
280 to achieving both these goals, and it should be bipartisan.

281 I look forward to the discussion to advance the bill to

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282 the full Committee, and I yield back.

283 *Mr. Carter. The gentlelady yields.

284 I now recognize the gentleman from New Jersey,
285 Representative Pallone, for 5 minutes for an opening
286 statement.

287 *Mr. Pallone. Thank you, Mr. Chairman. This afternoon
288 Committee Republicans continue their polluters over people
289 agenda with legislation that sells out the American people in
290 favor of their corporate polluting friends. Just this
291 morning Republicans voted to advance a suite of blatantly
292 partisan legislation that would raise Americans' energy bills
293 and lead to the construction of more dangerous pipe loans.

294 Now Republicans are returning to a tired playbook of
295 attacking the health-based air quality standards at the heart
296 of the Clean Air Act. This is not a new line of attack. The
297 Committee has considered these harmful ideas several times in
298 the past. Fortunately, they have never become law, and they
299 are not going to write _ they are not going to become law now
300 either.

301 Today's markup stands in stark contrast to the passage
302 of the Clean Air Act. Over 50 years ago, Democrats and

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303 Republicans in this Committee came together on an
304 overwhelmingly bipartisan basis to pass critical air quality
305 protections into law. Since then, the Clean Air Act has been
306 successful in cleaning up dangerous air pollution and
307 protecting the health of American communities and families.

308 The foundation of the Act is a set of health-based air
309 quality standards based solely on the latest science and
310 medical evidence. The National Ambient Air Quality
311 Standards, or NAAQS, essentially establishes the level of
312 pollution that is safe to breathe. That is why I am pleased
313 that the Biden EPA recently strengthened the NAAQS, refined
314 particulate matter, also known as PM 2.5.

315 Fine particular matter poses serious and significant
316 health risks to our communities every day, including
317 increased rates of heart disease and respiratory impacts.
318 Even short-term exposure for hours or days can cause
319 aggravated asthma attacks, respiratory inflammation, and
320 other human health harms. And this pollution is dangerous,
321 and the Americans have a right to clean, safe air.

322 Now, the Biden Administration's announcement is a
323 welcome return to pollution standards based on science.

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324 Under the new standard, we will see significant public health
325 benefits of up to 6 _ of up to \$46 billion in 2032 alone.
326 EPA also projects the new standard will avoid 800,000 asthma
327 attacks, nearly 300,000 lost workdays, and thousands of
328 premature deaths. So now it is up to the states to develop
329 plans to implement this more protective standard.

330 States have the flexibility to select the most efficient
331 and cost-effective tools and measures to meet the standard,
332 and this structure has a remarkably successful track record.
333 The air has gotten cleaner, the economy has continued to
334 grow, and, more importantly, public health has improved.

335 But the Republican majority is not interested in the
336 Clean Air Act's record of success. This Republican Committee
337 Print is clearly a response to EPA upholding its duty to
338 protect communities across the Nation from dangerous air
339 pollution like ozone and fine particulate matter.

340 This Republican legislation is a compilation of
341 misguided handouts to corporate polluters. The draft would
342 allow industry profits to override science in setting air
343 quality standards, provide amnesty to new polluting
344 facilities at the expense of existing manufacturing, and

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345 remove incentives to cut pollution. It would also weaken and
346 delay the fundamental protections in the law, virtually
347 guaranteeing that people living in areas with poor air
348 quality will continue to breathe unhealthy air.

349 What is more, Republicans are peddling misinformation to
350 justify this bill. Last month at the legislative hearing it
351 made baseless claims that improved air quality standards
352 would stop permitting in the United States and directly
353 questioned long-established science linking air pollution and
354 asthma. And time and again, Committee Republicans have
355 claimed that this draft proposal would not increase air
356 pollution or undermine the public health protections
357 currently found in the Clean Air Act. But they are wrong.

358 By altering the fundamental premise of the Clean Air
359 Act, the standards should be set to safeguard public health.
360 Republicans are making our air dirtier and endangering the
361 lives of families, children, and workers. And our experience
362 with the Clean Air Act tells us what we do not have _ that we
363 don't have to choose essentially between the health of our
364 communities and a healthy economy. We can and must have
365 both, and this proposal is an attack on the health and safety

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366 of the American people. And that is why I continue to oppose
367 it.

368 So, with that, I know we are going to have more
369 discussion, but, Mr. Chairman, I yield back. But I _ I do
370 want to say that, you know, I _ I remember _ I have been
371 around long enough to remember when Congress came together,
372 Democrats and Republicans, under President Nixon with a
373 Democratic Congress. And everyone was in favor of having a
374 standard for clean air under the Clean Air Act that was based
375 on people's health. That was the criteria, that we could
376 breathe clean air, that we could improve. And even though we
377 have made improvements, the fact of the matter is that we can
378 do more. And there is no reason not to do more, and there is
379 no reason to break down the standard and go back to a
380 situation where the air gets worse instead of better.

381 So, with that, I yield back, Mr. Chairman.

382 *Mr. Carter. The gentleman yields.

383 The chair reminds members that pursuant to the Committee
384 Rules all members' opening statements will be made part of
385 the record.

386 Are there further opening statements? The chair

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387 recognizes Representative Allen for 3 minutes for an opening
388 statement.

389 *Mr. Allen. Mr. Chair, I move to strike the last word.

390 *Mr. Carter. So ordered.

391 *Mr. Allen. I speak in favor of the Air Quality
392 Standards Implementation Act of 2024. In this Subcommittee,
393 we have been working on modernizing the national ambient air
394 quality standards setting process.

395 We have seen the Biden Administration's Environmental
396 Protection Agency propose disastrous air quality standards
397 that would devastate sectors of the economy, most recently
398 with its finalized standard for fine particulate matter,
399 PM 2.5. The final standard for PM 2.5 has just published in
400 the Federal Register this morning, and it is yet another
401 unworkable standard that will have disastrous impacts on
402 manufacturers and job creators, not only in my State of
403 Georgia but nationwide.

404 Today I filed a congressional review, CRA Resolution, to
405 nullify the finalized PM 2.5 standards. This is an example
406 of the need to update the process for setting national
407 ambient air quality standards. We have heard from many

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408 stakeholders, especially those representing states in
409 hearings who spoke of the improvements needed for setting air
410 quality standards.

411 The states are charged with implementing the standards,
412 and the legislation before us today gives us more opportunity
413 for them to weigh in on these regulations and work with the
414 agency to construct acceptable state implementation plans.
415 Specifically, this bill requires that the Clean Air
416 Scientific Advisory Committee include at least three members
417 from state air pollution control agencies and ensures such
418 membership represents different regions of the country.

419 This bill also provides timely guidance for state
420 implementation plans and ensures that the revisions to air
421 quality standards will not apply to preconstruction permits
422 until implementation guidance is issued. This draft bill
423 provides for many commonsense changes to the national ambient
424 air quality standards setting process, and I urge all my
425 colleagues to support this bill.

426 And, with that, I thank the chair, and I yield back.

427 *Mr. Carter. The gentleman yields.

428 Any other opening statements? Any on the Dems?

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429 Republican?

430 Okay. The chair calls up the discussion draft Air
431 Quality Standards Implementation Act of 2024 and asks the
432 clerk to report.

433 *The Clerk. Committee Print, a bill to facilitate
434 efficient state implementation of national ambient air
435 quality standards, and for other purposes.

436 Section 1, short title. This Act may be cited as the
437 Air Quality Standards Implementation Act of 2024.

438 [The Committee Print follows:]

439

440 *****COMMITTEE INSERT*****

441

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442 *Mr. Carter. Without objection, the first reading is
443 dispensed with, and the discussion draft will be open for
444 amendment at any point. So ordered.

445 Does anyone seek recognition to speak on the bill? The
446 chair recognizes the gentleman from Pennsylvania, Dr. Joyce.

447 *Mr. Joyce. Mr. Chairman, I move to strike the last
448 word.

449 *Mr. Carter. So ordered.

450 *Mr. Joyce. Mr. Chairman, there is a misconception
451 among many here in Washington that manufacturing is strictly
452 based to urban centers. Despite being rural, Pennsylvania's
453 13th congressional district also has a proud and vibrant
454 manufacturing sector. These factories are the economic
455 lifeline of their small towns.

456 In Pennsylvania-13, the paper industry is a great
457 example of that fact. Companies like Nittany Paper in
458 Mifflin County, the American Eagle Paper mills in Blair
459 County, and International Paper in Adams County, support and
460 provide family-sustaining jobs to their communities. Very
461 sadly, PM 2.5 will make it harder for these industries to
462 survive and harder to thrive.

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463 These companies have stayed in business by continuing to
464 update and innovate their production of goods. International
465 Paper in Biglerville, a union shop represented by the USW,
466 has great growth potential, which would mean more jobs, union
467 jobs, and investment in Adams County, Pennsylvania.
468 Implementing EPA's PM 2.5 rule would make that innovation and
469 expansion impossible.

470 If my colleagues on this Committee are truly pro growth
471 and pro worker, I urge them to support this legislation.

472 Thank you, Mr. Chairman, and I yield back.

473 *Mr. Carter. The gentleman yields.

474 Anyone seek recognition to speak on the bill?

475 Hearing none, are there any bipartisan amendments?

476 Hearing none, are there any other amendments? The chair
477 recognizes the gentleman from New Jersey.

478 *Mr. Pallone. Thank you, Mr. Chairman. I have an
479 amendment at the desk. It is SC-AMD-D_02.

480 *Mr. Carter. The clerk will report the amendment.

481 *The Clerk. Amendment to the Committee Print of the Air
482 Quality Standards Implementation Act of 2024 offered by
483 Mr. Pallone.

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484 Strike subsection (b) of section 2 relating to the
485 consideration of attainability_

486 [The Amendment offered by Mr. Pallone follows:]

487

488 *****COMMITTEE INSERT*****

489

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490 *Mr. Carter. Without objection, the reading of the
491 amendment is dispensed with, and the gentleman from New
492 Jersey is recognized for 5 minutes in support of the
493 amendment.

494 *Mr. Pallone. Thank you, Mr. Chairman. My amendment is
495 straightforward, and it fixes one of the most egregious
496 provisions in the draft bill, the consideration of likely
497 attainability in the NAAQS setting process.

498 And let's not pretend that we are tinkering around the
499 margins or applying common sense. This is a radical
500 provision that would allow polluters to override scientists.
501 It would require EPA to set air quality standards based on
502 corporate profits rather than public health. The draft
503 bill's approach would make so-called likely attainability a
504 factor in the scientific decision about how much pollution is
505 safe for a child to breathe.

506 Requiring EPA to consider attainability or the potential
507 costs of attaining an air quality standard is a dangerous
508 precedent that ignores the history and purpose of the Clean
509 Air Act. Since 1970, the lowest science-based health
510 protective standards keep our eye on the prize: healthy air

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511 for everyone. Cooperative federalism allows EPA to set the
512 clean air goals, and states decide how best to achieve the
513 goals. Furthermore, this provision would overturn a
514 unanimous Supreme Court decision saying that the goal of the
515 Clean Air Act is to achieve air quality that is safe to
516 breathe.

517 Maybe my Republican colleagues need to brush up on the
518 history. So here is a brief summary. In 2001, the late
519 Justice Scalia wrote that the Clean Air Act, and I quote,
520 "unambiguously bars cost considerations from the NAAQS
521 setting process and, thus, ends the matter for us as well as
522 the EPA."

523 And this is not to say that attainability and costs
524 aren't considered at some point. The scientific
525 determination of what is safe to breathe doesn't depend on
526 the technology or costs of cleaning up pollution. But these
527 considerations come into play in the second step of the
528 process when states decide the most effective way to meet
529 their air quality goals.

530 But Section 2(b) of this bill turns this extremely
531 effective approach upside down. The considerations set up by

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532 this section are equivalent to a doctor basing a patient's
533 diagnosis on the cost of treatment and the likeliness of a
534 cure. And it is unconscionable and puts the health of all
535 Americans at unnecessary risk.

536 So my amendment would restore current law, preserving
537 the NAAQS as purely health-based standards, and leaving the
538 consideration of costs and attainability to the states. If
539 you truly believe that this bill is not an attack on the
540 Clean Air Act and its critical public health protections then
541 supporting my amendment should not be a problem.

542 In closing, almost every time EPA proposes a significant
543 new requirement opponents tell us it can't be done. It is
544 going to cost too much. It is going to turn off the lights.

545 Republicans are once again raising the false specter of
546 high economic costs to try to block the implementation of
547 stronger air quality standards, and these doomsday claims are
548 nothing new. The history of the Clean Air Act has a history
549 of exaggerated claims by corporate polluters that have never
550 come true.

551 Second 2(b) is just the latest in a string of reckless
552 legislative attacks on these purely health-based air quality

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553 standards, which could unravel the entire framework of the
554 Clean Air Act. And so I urge adoption of my amendment to
555 ensure we protect the healthy American people rather than the
556 bottom lines of corporate polluters.

557 And, with that, Mr. Chairman, I yield back.

558 *Mr. Carter. The gentleman yields back.

559 Is there discussion of the amendment?

560 *Mr. Allen. Mr. Chairman?

561 *Mr. Carter. The chair recognizes the gentleman from
562 Georgia, Mr. Allen, for 5 minutes.

563 *Mr. Allen. I move to strike the last word.

564 *Mr. Carter. So ordered.

565 *Mr. Allen. Section 2(b) states that if the EPA
566 Administrator, in consultation with EPA's independent
567 Scientific Advisory Committee, finds a range of levels of air
568 quality are requisite to protect public health with an
569 adequate margin of safety, then the Administrator may
570 consider as a secondary consideration likely technological
571 feasibility in establishing and revising the national primary
572 ambient air quality standards for this pollutant.

573 The text does not change the Clean Air Act's

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574 requirements that standards be based on protection of public
575 health. The text simply clarifies that the EPA Administrator
576 has the discretion to consider technological feasibility when
577 choosing among a range of levels identified and supported by
578 the sciences as protective of public health.

579 This is a clarification for future administrators that
580 Congress considers technical feasibility to be a reasonable
581 part of the decision-making process when policy choices must
582 be made among a range of scientifically valid options.

583 I urge a no vote on this amendment, and I yield back.

584 *Mr. Carter. The gentleman yields.

585 Is there discussion of the amendment? The chair
586 recognizes the ranking member, Mr. Tonko, for 5 minutes.

587 *Mr. Tonko. I move to strike the last word.

588 *Mr. Carter. So ordered.

589 *Mr. Tonko. Thank you, sir. I would like to speak in
590 support of the Pallone amendment.

591 Since 1970, the Clean Air Act has had several key
592 features that have helped make it one of the most successful
593 environmental laws in our country. And the Clean Air Act
594 uses regulatory standards, like the National Ambient Air

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595 Quality Standards, or NAAQS, to drive technological
596 innovation in pollution controls often called technology-
597 forcing standards.

598 The Act recognizes that it usually costs less to dump
599 pollution rather than to clean it up, so businesses generally
600 don't control pollution absent regulatory requirements. We
601 know from decades of experience that the Clean Air Act drives
602 innovations in pollution controls that then become the
603 industry standard. Once an air pollution standard is in
604 place, industry gets to work to meet it, and along the way we
605 develop more effective and less expensive pollution control
606 technologies.

607 Not only is our air cleaner, but we also export tens of
608 billions of dollars of pollution _ pollution control
609 equipment all over the world. We have seen that happen over
610 and over again.

611 But Section 2(b) ignores this fact and rejects an
612 approach that has been successful for some 5 decades, and
613 provisions attempt to insert consideration of costs into the
614 NAAQS setting process, setting a higher, less productive
615 standard that will endanger public health, including the

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616 health of a vulnerable population group like children, the
617 elderly, low-income communities, and communities of color.

618 As we have reiterated time and time again in this
619 Committee, over 100 million Americans live in counties with
620 unhealthy levels of air pollution, and air pollution is
621 responsible for over 100,000 premature deaths in America each
622 and every year.

623 So it is a mystery to me why my Republican colleagues
624 choose to downplay this terrible reality by attempting to
625 turn the NAAQS process into a reflection of how much public
626 health protection we can afford instead of what is safe to
627 breathe. Every aspect of human life is impacted by the
628 quality of our air. That is why it is important that we
629 protect EPA's ability to set air quality standards that are
630 protective of public health.

631 Overall, this section is a radical rewrite of the
632 health-based air quality standards that are the foundation of
633 the Clean Air Act. It ignores decades of experience in
634 cleaning up air pollution. It is an extreme and, indeed,
635 reckless approach. So I do urge adoption of the amendment to
636 ensure these critical standards are based on science and

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637 science alone.

638 With that, I yield back, Mr. Chair.

639 *Mr. Carter. The gentleman yields.

640 Is there any further discussion of the amendment?

641 Hearing none, if there is no further discussion, the
642 vote occurs on the amendment.

643 All those in favor shall signify by saying aye.

644 And those opposed by nay.

645 *Mr. Tonko. Can we have a recorded vote, please?

646 *Mr. Carter. The nays have it. There is a request for
647 a recorded vote. The gentleman from New York requests a
648 recorded vote. The clerk will record _ will call the roll.

649 *The Clerk. Palmer?

650 *Mr. Palmer. No.

651 *The Clerk. Palmer votes no.

652 Crenshaw?

653 *Mr. Crenshaw. No.

654 *The Clerk. Crenshaw votes no.

655 Joyce?

656 *Mr. Joyce. No.

657 *The Clerk. Joyce votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

658 Weber?
659 *Mr. Weber. No.
660 *The Clerk. Weber votes no.
661 Allen?
662 *Mr. Allen. Allen votes no.
663 *The Clerk. Allen votes no.
664 Balderson?
665 *Mr. Balderson. No.
666 *The Clerk. Balderson votes no.
667 Fulcher?
668 *Mr. Fulcher. No.
669 *The Clerk. Fulcher votes no.
670 Pfluger.
671 *Mr. Pfluger. No.
672 *The Clerk. Pfluger votes no.
673 Miller-Meeks?
674 *Mrs. Miller-Meeks. No.
675 *The Clerk. Miller-Meeks votes no.
676 Obernolte? Obernolte?
677 [No response.]
678 *The Clerk. Chair Carter?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

679 *Mr. Carter. No.
680 *The Clerk. Chair Carter votes no.
681 Tonko?
682 *Mr. Tonko. Yes.
683 *The Clerk. Tonko votes aye.
684 DeGette?
685 *Ms. DeGette. Aye.
686 *The Clerk. DeGette votes aye.
687 Schakowsky?
688 *Ms. Schakowsky. Aye.
689 *The Clerk. Schakowsky votes aye.
690 Sarbanes?
691 *Mr. Sarbanes. Aye.
692 *The Clerk. Sarbanes votes aye.
693 Clarke?
694 [No response.]
695 *The Clerk. Ruiz?
696 [No response.]
697 *The Clerk. Peters?
698 *Mr. Peters. Aye.
699 *The Clerk. Peters votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

700 Barragan?

701 *Ms. Barragan. Aye.

702 *The Clerk. Barragan votes aye.

703 Pallone?

704 *Mr. Pallone. Aye.

705 *The Clerk. Pallone votes aye.

706 Chair Rodgers?

707 [No response.]

708 *Mr. Carter. How is Mr. Obernolte recorded?

709 *The Clerk. Mr. Obernolte is not recorded.

710 *Mr. Obernolte. No.

711 *The Clerk. Obernolte votes no.

712 *Mr. Carter. The clerk will report the results.

713 *The Clerk. Chair Carter, on that vote, there were

714 7 ayes and 11 noes.

715 *Mr. Carter. The amendment is not agreed to.

716 Are there further amendments?

717 *Mr. Tonko. Mr. Chair?

718 *Mr. Carter. The chair recognizes the ranking member

719 from New York, Mr. Tonko.

720 *Mr. Tonko. Thank you, Mr. Chair. I have an amendment

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721 at the desk. I believe it is labeled SC-AMD-D_04.

722 *Mr. Carter. The clerk will report the amendment.

723 *The Clerk. Amendment to the Committee Print of the Air

724 Quality Standards Implementation Act of 2024 offered by

725 Mr. Tonko.

726 Amend Section 2(c) of the Committee Print to read as

727 follows_

728 [The Amendment offered by Mr. Tonko follows:]

729

730 *****COMMITTEE INSERT*****

731

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

732 *Mr. Carter. Without objection, the reading of the
733 amendment is dispensed with, and the gentleman from New York
734 is recognized for 5 minutes in support of the amendment.

735 *Mr. Tonko. Thank you, Mr. Chair. I have already
736 expressed my concerns that this Committee Print will
737 undermine EPA's science-based process to setting health
738 protective air pollution standards, and I worry that
739 Section 2(c) would contribute to this outcome.

740 Section 2(c) changes the composition of the Clean Air
741 Scientific Advisory Committee, or CASAC, increasing the
742 required number of state representatives from one to three,
743 while keeping the other representation requirements the same.

744 CASAC is an expert panel that provides independent
745 technical advice to the Administrator regarding the NAAQS.
746 It is completely currently composed of seven members, at
747 least one of which is required to be a physician, one a
748 National Academies member, and one a state representative.

749 As I said during the legislative hearing, I am not
750 opposed to states playing a role in evaluating and, indeed,
751 advising EPA on scientific issues. I know New York State has
752 significant technical expertise to offer, but scientists and

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753 medical experts really need to be at the heart of CASAC work
754 to provide independent advice on both the standard and the
755 underlying science.

756 It only follows that the Committee must have scientific
757 and medical expertise to meaningfully review and comment on
758 the latest data. But as drafted the proposal would tilt the
759 balance of the CASAC too far from its intended purpose. So I
760 believe this amendment offers a fair compromise by increasing
761 the number of CASAC members from seven to 13 and requiring
762 that along with the three state representatives there are
763 also three physicians and three National Academies members.

764 This keeps the ratio of required members the same, while
765 allowing more voices to be represented and ensuring that
766 there are not potential gaps in expertise necessary to
767 accomplish CASAC's main purpose, and that is reviewing and
768 advising on public health standards backed by robust and
769 up-to-date science.

770 I urge my colleagues to support this amendment. And,
771 with that, Mr. Chair, I yield back.

772 *Mr. Carter. The gentleman yields.

773 Is there discussion of the amendment? The chair

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

774 recognizes the gentleman from Pennsylvania, Mr. Balderson,
775 for 5 minutes.

776 *Mr. Balderson. That would be Ohio, Mr. Chairman.
777 Thank you.

778 *Mr. Carter. That, too.

779 *Mr. Balderson. O-H. I would like to strike the last
780 word to speak in opposition to this amendment.

781 *Mr. Carter. So ordered.

782 *Mr. Balderson. Thank you. This is nothing more than
783 an attempt to maintain the status quo operation of the Clean
784 Air Science Advisory Committee. By increasing the total
785 members of the Committee and maintaining at least language
786 for all those except state air pollution control agencies
787 this language will do nothing to remedy the diminished voice
788 of the states.

789 According to the testimony received by the Subcommittee
790 in September, the latest PM 2.5 review was conducted by the
791 seven-person chartered Clean Air Science Advisory Committee,
792 plus 15 additional panel members, 22 in total. Twenty were
793 university research professors, and only one person
794 represented state air pollution control agencies.

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795 Members of the National Academy of Science and
796 Physicians are already well represented through the CASAC and
797 additional panels. The intent of the Republican provision is
798 to increase the role of EPA's co-regulators, the states.

799 If the gentleman would like to withdraw the amendment, I
800 would be happy to continue working with him toward the full
801 Committee. These are the kinds of discussions we look
802 forward to having if we both share the goal of working
803 towards a bipartisan bill. If the amendment will not be
804 withdrawn, I urge a no vote.

805 Thank you, Mr. Chairman, and I yield back.

806 *Mr. Carter. The gentleman yields back.

807 Is there discussion of the amendment?

808 *Mr. Sarbanes. Mr. Chairman?

809 *Mr. Carter. The chair recognizes Mr. Sarbanes from
810 Maryland for 5 minutes.

811 *Mr. Sarbanes. Thank you, Mr. Chairman. I move to
812 strike the last word.

813 *Mr. Carter. So ordered.

814 *Mr. Sarbanes. I think this is a great amendment. I
815 want to support Representative Tonko's submission of it. The

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816 Committee Print before us today, as he was indicating, would
817 potentially gut the Clean Air Act by weakening the National
818 Ambient Air Quality Standards, or NAAQS.

819 Throughout the legislation, Republicans keep leaning
820 into these exaggerated industry claims, undermining EPA's
821 ability to follow the science and set health protective
822 standards, which is what their mission is all about. They
823 are there to follow the science and to protect the public.

824 Section 2(c) is no exception. This provision would
825 alter the membership requirements of the Clean Air Scientific
826 Advisory Committee, or CASAC. It would increase
827 representation from the states while seemingly discounting
828 the necessary expertise from scientists and medical
829 professionals.

830 When setting new standards, EPA is tasked with reviewing
831 the latest scientific studies, and based on that science
832 either reaffirming or revising the established NAAQS
833 every 5 years. The CASAC provides critical, independent
834 advice about the adequacy of the standard based _ standards
835 based on the latest scientific information. So having
836 adequate representation from the scientific and medical

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837 communities on the CASAC is paramount. It is indispensable
838 that you have that.

839 This amendment offered by Representative Tonko will
840 rebalance the CASAC to avoid diluting this vital
841 representation. Republicans want to add more voices from the
842 states, voices that I think have an important perspective.
843 That is a discussion to have. However, we should also ensure
844 that we have the necessary expertise from scientists and
845 public health experts. That is vital.

846 So I appreciate my colleague offering the amendment. I
847 urge the Committee to support the amendment, and I yield
848 back.

849 *Mr. Carter. The gentleman yields.

850 Is there discussion of the amendment? Any other
851 discussion of the amendment?

852 Hearing none, if there is no further discussion, the
853 vote occurs on the amendment.

854 All those in favor shall signify by saying aye.

855 All those opposed by nay.

856 *Mr. Tonko. Mr. Chair, I call for a _

857 *Mr. Carter. The nays have it.

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858 *Mr. Tonko. _ recorded vote, please.

859 *Mr. Carter. A recorded vote has been requested. The
860 clerk will call the roll.

861 *The Clerk. Palmer?

862 *Mr. Palmer. No.

863 *The Clerk. Palmer votes no.
864 Crenshaw?

865 *Mr. Crenshaw. No.

866 *The Clerk. Crenshaw votes no.
867 Joyce?

868 *Mr. Joyce. No.

869 *The Clerk. Joyce votes no.
870 Weber?

871 [No response.]

872 *The Clerk. Allen?

873 *Mr. Allen. No.

874 *The Clerk. Allen votes no.
875 Balderson?

876 *Mr. Balderson. No.

877 *The Clerk. Balderson votes no.
878 Fulcher?

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879 *Mr. Fulcher. No.
880 *The Clerk. Fulcher votes no.
881 Pfluger.
882 *Mr. Pfluger. No.
883 *The Clerk. Pfluger votes no.
884 Miller-Meeks?
885 *Mrs. Miller-Meeks. No.
886 *The Clerk. Miller-Meeks votes no.
887 Obernolte?
888 [No response.]
889 *The Clerk. Mr. Carter?
890 *Mr. Carter. No.
891 *The Clerk. Chair Carter votes no.
892 Tonko?
893 *Mr. Tonko. Aye.
894 *The Clerk. Tonko votes aye.
895 DeGette?
896 *Ms. DeGette. Aye.
897 *The Clerk. DeGette votes aye.
898 Schakowsky?
899 *Ms. Schakowsky. Aye.

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900 *The Clerk. Schakowsky votes aye.
901 Sarbanes?
902 *Mr. Sarbanes. Aye.
903 *The Clerk. Sarbanes votes aye.
904 Clarke?
905 *Ms. Clarke. Aye.
906 *The Clerk. Clarke votes aye.
907 Ruiz?
908 *Mr. Ruiz. Aye.
909 *The Clerk. Ruiz votes aye.
910 Peters?
911 *Mr. Peters. Aye.
912 *The Clerk. Peters votes aye.
913 Barragan?
914 *Ms. Barragan. Aye.
915 *The Clerk. Barragan votes aye.
916 Pallone?
917 *Mr. Pallone. Aye.
918 *The Clerk. Pallone votes aye.
919 Chair Rodgers?
920 [No response.]

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921 *Mr. Carter. How is Mr. Weber recorded?
922 *The Clerk. Mr. Weber is not recorded.
923 *Mr. Weber. Weber votes no.
924 *The Clerk. Mr. Weber votes no.
925 *Mr. Carter. The clerk will report the results.
926 *The Clerk. Chair Carter, on that vote, there were
927 9 ayes and _
928 *The Chair. Mr. Chair?
929 *Mr. Carter. How is Chair Rodgers recorded?
930 *The Clerk. Chair Rodgers is not recorded.
931 *The Chair. No.
932 *The Clerk. Chair Rodgers votes no.
933 *Mr. Carter. And how is Mr. Obernolte recorded?
934 *The Clerk. Mr. Obernolte is not recorded.
935 *Mr. Obernolte. Obernolte, no.
936 *The Clerk. Obernolte votes no.
937 *Mr. Carter. The clerk will report the results.
938 *The Clerk. Chair Carter, on that vote, there were
939 9 ayes and 12 noes.
940 *Mr. Carter. The amendment is not agreed to.
941 Are there further amendments? The chair recognizes the

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942 gentlelady from California, Ms. Barragan.

943 *Ms. Barragan. Thank you, Mr. Chairman. I have an
944 amendment at the desk labeled SC-AMD-D_13.

945 *Mr. Carter. The clerk will report the amendment.

946 *The Clerk. Amendment to the Committee Print of the Air
947 Quality Standards Implementation Act of 2024 offered by
948 Ms. Barragan.

949 At the end, add the following new section, Section 6,
950 limitation.

951 [The Amendment offered by Ms. Barragan follows:]

952

953 *****COMMITTEE INSERT*****

954

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955 *Mr. Carter. Without objection, the reading of the
956 amendment is dispensed with, and the gentlelady from
957 California is recognized for 5 minutes in support of the
958 amendment.

959 *Ms. Barragan. Thank you, Mr. Chairman. The Committee
960 Print we are considering today is a handout to polluters at
961 the expense of the American people. For over 50 years, the
962 Clean Air Act has successfully cleaned up toxic pollution.
963 Today the Republicans' legislation would undermine that
964 success and endanger the health of the American people.

965 This legislation would weaken the process EPA uses to
966 set the National Ambient Air Quality Standards. It would
967 also delay implementation of stronger health protective
968 standards and give polluters a free pass to contaminate our
969 air.

970 My amendment would ensure that this legislation would
971 not go into effect until EPA, in consolidation _ consultation
972 with the Clean Air Scientific Advisory Committee, determines
973 it will not increase negative health outcomes for minority
974 and low-income communities. Far too many communities of
975 color, including Latino communities, suffer from unhealthy

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976 levels of toxic pollution in the air, such a particulate
977 matter and ozone.

978 This pollution is a silent killer that leads to
979 premature deaths, cancers, and respiratory diseases such as
980 asthma. Unfortunately, we know this all too well in my
981 district where doctors keep inhalers stocked for kids. It is
982 important that EPA can set science-based air quality
983 standards that are protective of public health to hold
984 polluters accountable. The American people deserve clean,
985 safe air.

986 I urge my colleagues to support this amendment, and I
987 yield back.

988 *Mr. Carter. The gentlelady yields.

989 Is there discussion of the amendment? The chair
990 recognizes the gentleman from Pennsylvania, Dr. Joyce, for
991 5 minutes.

992 *Mr. Joyce. Mr. Chairman, I move to strike the last
993 word.

994 *Mr. Carter. So ordered.

995 *Mr. Joyce. Mr. Chairman, rather than trying to solve a
996 legislative issue, this amendment is trying to create a

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997 political issue. In the process, this amendment delegates
998 Congress Article 1 authority to make the law transferred to
999 unelected bodies to decide what the law should be. In
1000 addition, let's not forget air quality standards are only
1001 protective of public health when they are actually
1002 implemented.

1003 This bill is trying to help those who need to comply
1004 actually to do it in a way that makes sense and protects
1005 public health. This bill will do so while allowing
1006 individuals to maintain their jobs, to maintain health
1007 insurance, to maintain that they have access to medical care.
1008 Say no to the delay, say no to this legislative delegation,
1009 and say no to placing stringency over compliance. I
1010 recommend a no vote to this amendment.

1011 Thank you, Mr. Chair, and I yield.

1012 *Mr. Carter. The gentleman yields.

1013 Is there further discussion of the amendment? The chair
1014 recognizes the gentlelady from Illinois, Ms. Schakowsky, for
1015 5 minutes.

1016 *Ms. Schakowsky. Thank you. I move to strike the last
1017 word.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1018 *Mr. Carter. So ordered.

1019 *Ms. Schakowsky. So I want to thank my colleague,
1020 Congresswoman Barragan, for her amendment, which I heartily
1021 support. The Biden Administration has been following the
1022 mandate really of the Clean Air Act, which is to make sure
1023 that all Americans have safe air to breathe and has been
1024 following the science that backs _ that backs it up.

1025 You know, I have to tell you that I think that rather
1026 than calling this legislation the Air Quality Standard
1027 Improvement Act, it is more like the Smoggy Skies Act. And
1028 we had a hearing on this in this _ in this Committee, and
1029 what we saw was the clear contrast between those corporations
1030 that were here telling us that the economy is going to go
1031 way, way down, if we don't provide the corporations the
1032 opportunity to keep building.

1033 That is just absolutely not true. And what we know is
1034 that this can't be the kind of conversation about whether or
1035 not we are going to help big corporations instead of helping
1036 the American people who want to breathe free air. So I
1037 really am frustrated at the attacks that are ongoing against
1038 the Environmental Protection Agency for absolutely doing the

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1039 job.

1040 And what we know is that this bill would help
1041 communities of _ low-income communities. And in my district,
1042 and in my city of the _ of Chicago, what we find is that one
1043 out of three children is suffering from the air that they are
1044 breathing and suffering from the diseases that follow. We
1045 see large rates of asthma and other lung diseases that are
1046 happening in my city.

1047 And so it seems to me that we don't have to sacrifice
1048 the economy, the opportunities for the private sector, and
1049 for businesses to build. Our economy is doing well. It is
1050 doing great. It has been exceeding expectations. And to now
1051 say what we need to do is to cut back on clean air, it is
1052 absolutely an outrage.

1053 And I am so grateful for this amendment that would say
1054 that the EPA would have to certify that these communities
1055 that are most vulnerable are not going to be hurt by this
1056 legislation. This is the right legislative solution, and I
1057 support the amendment.

1058 And I yield back.

1059 *Mr. Carter. The gentlelady yields back.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1060 Is there further discussion of the amendment?
1061 Hearing none, there is no further discussion, the vote
1062 occurs on the amendment.
1063 All those in favor shall signify by saying aye.
1064 And those opposed by nay.
1065 *Mr. Tonko. Mr. Chair, I call for a _
1066 *Mr. Carter. The nays have it.
1067 *Mr. Tonko. _ recorded vote.
1068 *Mr. Carter. A roll call vote has been requested. The
1069 gentleman from New York requests a roll call, a recorded
1070 vote. The clerk will call the roll.
1071 *The Clerk. Palmer?
1072 *Mr. Palmer. No.
1073 *The Clerk. Palmer votes no.
1074 Crenshaw?
1075 *Mr. Crenshaw. No.
1076 *The Clerk. Crenshaw votes no.
1077 Joyce?
1078 *Mr. Joyce. No.
1079 *The Clerk. Joyce votes no.
1080 Weber?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1081 *Mr. Weber. No.
1082 *The Clerk. Weber votes nay.
1083 *The Clerk. Allen?
1084 *Mr. Allen. No.
1085 *The Clerk. Allen votes no.
1086 Balderson?
1087 *Mr. Balderson. No.
1088 *The Clerk. Balderson votes no.
1089 Fulcher?
1090 *Mr. Fulcher. No.
1091 *The Clerk. Fulcher votes no.
1092 Pfluger.
1093 *Mr. Pfluger. No.
1094 *The Clerk. Pfluger votes no.
1095 Miller-Meeks?
1096 *Mrs. Miller-Meeks. No.
1097 *The Clerk. Miller-Meeks votes no.
1098 Oberholte?
1099 [No response.]
1100 *The Clerk. Chair Carter?
1101 *Mr. Carter. No.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1102 *The Clerk. Chair Carter votes no.
1103 Tonko?
1104 *Mr. Tonko. Yes.
1105 *The Clerk. Tonko votes aye.
1106 DeGette?
1107 *Ms. DeGette. Aye.
1108 *The Clerk. DeGette votes aye.
1109 Schakowsky?
1110 *Ms. Schakowsky. Aye.
1111 *The Clerk. Schakowsky votes aye.
1112 Sarbanes?
1113 *Mr. Sarbanes. Aye.
1114 *The Clerk. Sarbanes votes aye.
1115 Clarke?
1116 *Ms. Clarke. Aye.
1117 *The Clerk. Clarke votes aye.
1118 Ruiz?
1119 *Mr. Ruiz. Aye.
1120 *The Clerk. Ruiz votes aye.
1121 Peters?
1122 *Mr. Peters. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1123 *The Clerk. Peters votes aye.
1124 Barragan?
1125 *Ms. Barragan. Aye.
1126 *The Clerk. Barragan votes aye.
1127 Pallone?
1128 *Mr. Pallone. Aye.
1129 *The Clerk. Pallone votes aye.
1130 Chair Rodgers?
1131 *The Chair. No.
1132 *The Clerk. Chair Rodgers votes no.
1133 *Mr. Carter. The clerk will report the result.
1134 *The Clerk. Chair Carter, on that vote, there were
1135 9 ayes and 11 noes.
1136 *Mr. Carter. The amendment is not agreed to.
1137 Are there any further amendments?
1138 Hearing none, the question now occurs on forwarding the
1139 discussion draft, as amended _ the discussion draft to the
1140 full Committee.
1141 All those in favor say aye.
1142 And those opposed by no.
1143 The ayes have it, surprisingly.

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1144 [Laughter.]
1145 *Mr. Carter. The ayes have it, and the bill is agreed
1146 to.
1147 *Mr. Tonko. Wait. We want a recorded vote.
1148 *Mr. Carter. Oh, oh. You want a recorded vote?
1149 *Mr. Tonko. Please.
1150 *Mr. Carter. Okay. A recorded vote has been requested.
1151 The gentleman from New York requests a recorded vote. The
1152 clerk will call the roll.
1153 *The Clerk. Palmer?
1154 *Mr. Palmer. Aye.
1155 *The Clerk. Palmer votes aye.
1156 Crenshaw?
1157 [No response.]
1158 *The Clerk. Joyce?
1159 *Mr. Joyce. Yes.
1160 *The Clerk. Joyce votes aye.
1161 Weber?
1162 *Mr. Weber. Aye.
1163 *The Clerk. Weber votes aye.
1164 Allen?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1165 *Mr. Allen. Aye.
1166 *The Clerk. Allen votes aye.
1167 Balderson?
1168 *Mr. Balderson. Aye.
1169 *The Clerk. Balderson votes aye.
1170 Fulcher?
1171 *Mr. Fulcher. Aye.
1172 *The Clerk. Fulcher votes aye.
1173 Pfluger.
1174 *Mr. Pfluger. Aye.
1175 *The Clerk. Pfluger votes aye.
1176 Miller-Meeks?
1177 *Mrs. Miller-Meeks. Aye.
1178 *The Clerk. Miller-Meeks votes aye.
1179 Obernolte?
1180 [No response.]
1181 *The Clerk. Chair Carter?
1182 *Mr. Carter. Aye.
1183 *The Clerk. Chair Carter votes aye.
1184 Tonko?
1185 *Mr. Tonko. No.

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1186 *The Clerk. Tonko votes no.
1187 DeGette?
1188 *Ms. DeGette. No.
1189 *The Clerk. DeGette votes no.
1190 Schakowsky?
1191 *Ms. Schakowsky. No.
1192 *The Clerk. Schakowsky votes no.
1193 Sarbanes?
1194 *Mr. Sarbanes. No.
1195 *The Clerk. Sarbanes votes no.
1196 Clarke?
1197 *Ms. Clarke. No.
1198 *The Clerk. Clarke votes no.
1199 Ruiz?
1200 *Mr. Ruiz. No.
1201 *The Clerk. Ruiz votes no.
1202 Peters?
1203 *Mr. Peters. No.
1204 *The Clerk. Peters votes no.
1205 Barragan?
1206 *Ms. Barragan. No.

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1207 *The Clerk. Barragan votes no.
1208 Pallone?
1209 *Mr. Pallone. No.
1210 *The Clerk. Pallone votes no.
1211 Chair Rodgers?
1212 *The Chair. Aye.
1213 *The Clerk. Chair Rodgers votes aye.
1214 *Mr. Carter. The clerk will report the results.
1215 *The Clerk. Chair Carter, on that vote, there were
1216 10 ayes and 9 noes.
1217 *Mr. Carter. The ayes have it, and the bill is agreed
1218 to. Without objection.
1219 Staff is authorized to make technical and conforming
1220 changes to the legislation approved by the Subcommittee
1221 today. So ordered. Without objection.
1222 The Subcommittee stands adjourned.
1223 [Whereupon, at 3:28 p.m., the Subcommittee was
1224 adjourned.]