

**Chairman H. Morgan Griffith**  
**Opening Statement—Subcommittee on Environment**  
**“Short-Circuiting Progress: How the Clean Air Act Impacts**  
**Building Necessary Infrastructure for Onshoring American**  
**Innovation”**  
**June 11, 2025**  
*As prepared for delivery*

Today, this Subcommittee begins its efforts to modernize the Clean Air Act.

The Act was last amended in a consequential way in 1990 with Energy and Commerce Chair, John Dingell, being a driving force in that bicameral compromise. The Clean Air Act has already been effective.

According to EPA’s 2023 Air Quality statistics report, since the Clean Air Act amendments were passed in 1990, there has been a 79 percent reduction in Carbon Monoxide, a 92 percent reduction in Sulfur Dioxide or SO<sub>x</sub>, and a 55 percent reduction in Nitrogen Dioxide or NO<sub>x</sub>. Since 2000, we’ve seen a 42 percent reduction in Particulate Matter 2.5, which are inhalable particles measuring less than two and a half micrometers.

The Clean Air Act’s National Attainment Air Quality Standards or NAAQS standard setting and permitting programs, with each new review, EPA generally sets new lower pollution allowances, over time, these newer standards have had the tendency to pass the point of diminishing returns.

Accordingly, If you’re an industrial plant wanting to build in this country, you may have to wait until another plant goes out of business and you can take over their permit. That is not a

path to economic prosperity. Additionally, I don't believe that banning new industrial activity in the United States was what the authors of the Clean Air Act were aiming for.

It was a tough compromise bill meant to have each state scrutinize major sources and think about air permit planning, industry concentration, and air quality in unfavorable geographic settings. The Act was written to get industry to reexamine its operations and control pollution by investing in, and implementing, innovative technologies.

It worked, but now we need to examine the law in light of little additional public health gain at the expense of paralyzing nationally important industries. We need to begin a modernization effort by examining draft legislative proposals to reform the out-of-date NACKS process.

As we heard in our recent full Committee hearing, overly restrictive air regulations have curtailed some domestic investment in semiconductor plants and data centers, which in turn could jeopardize America's ability to compete in the global Artificial Intelligence race.

One of the draft bills we are discussing today would improve the processes EPA uses to identify NACKS pollutants and ceilings. And then, for states to implement those new standards.

Under the Clean Air Act's NACKS program, the EPA sets standards for six criteria pollutants like ground-level ozone and particulate matter. Historically, the Clean Air Act required EPA to review NACKS standards and if appropriate, issue new limits, at five-year

intervals. The EPA has consistently missed statutory deadlines for both reviewing standards and for providing implementation guidance to states which has led to litigation in some cases.

These proposals will enable more reasonable requirements that states can actually implement. This is why the Clean Air Act and Economic Advancement Reform Act that we are talking about today would lengthen that interval to 10 years and allow the EPA Administrator to consider whether it was likely the standard can actually be attained.

Additionally, the bill would require the EPA to consider the economic feasibility of these standards. The bill would also allow for naturally occurring air pollution events, such as wildfires, to not count against NACKS emission averages for a state.

The other bill, the Clean Air and Building Infrastructure Improvements Act has to do more specifically with the most recent PM 2.5 rule that really would cripple a lot of industry by reducing that limit from 12 micrograms per cubic meter of air to 9 micrograms per cubic meter of air.

Further, it allows for an easier preconstruction permitting process. Protecting our environment and our economy do not have to be mutually exclusive goals, but in order to achieve both, we must rethink how our country classifies pollution levels outside our control.

The EPA is still in the process of updating various air quality standards. As that work continues, Congress must ensure states and employers aren't unfairly penalized by impractical or burdensome new rules which could hurt our national security and our economic competitiveness.

I look forward to learning more from our expert witnesses who have extensive experience in implementing, and complying with NACKS standards under the Clean Air Act.