

Chairman Gary Palmer
Opening Statement—Subcommittee on Environment
“Rules of the Road: Examining Legislation to Modernize the Clean
Air Act’s Mobile Source Requirements.”
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Good afternoon, I’d like to welcome everyone to today’s hearing entitled “Rules of the Road: Examining Legislation to Modernize the Clean Air Act’s Mobile Source Requirements.”

This hearing continues the Committee’s efforts to modernize the Clean Air Act to reflect the modern landscape of air emissions and trends.

At the core of the Clean Air Act is the idea that we can protect our environment without sacrificing economic growth. But it has been decades since Congress updated the Act causing many of its outdated provisions to become burdensome and counterproductive to the goals of the Act.

That’s why this Committee is considering nuanced and tailored updates to improve the Clean Air Act. Today, we will consider 10 pieces of legislation that aim to provide common sense updates to Title II of the

Clean Air Act which governs mobile sources. I welcome feedback from our witnesses and others as the Committee considers these bills.

I also would like to thank Representative Fedorchak and Representative Langworthy for their work on these bills and their leadership in modernizing the mobile source provisions of the Clean Air Act.

The witnesses we will hear from today have extensive experience with the challenges presented by out-of-date provisions and are well suited to explain their impact. I look forward to their testimony and their feedback on the discussion drafts and legislation.

I'm particularly interested in testimony that relates to the continued use of the California Waiver and the Clean Air Act. One of the bills we will consider today epitomizes the concerns of the Committee, the LOCOMOTIVES Act introduced by Representative LaMalfa and championed by Rep. Obernolte illustrates the problematic outcomes associated with the waiver.

In 2023, the California Air Resources Board proposed a rule that would ban the operation of any locomotive 23 years or older from

operating in California, unless it is running on a “zero emissions” configuration. The proposed rule, issued in the twilight of the Biden-Harris presidency was withdrawn before the current administration took office, but it would have effectively prohibited 67 percent of the national locomotive fleet from entering California and accessing two of this nation’s largest ports.

Under this proposal, trains would be required to stop at the California border, or any state that might adopt these standards, and wait for a compliant train to collect their cargo, increasing transit time and cost. These disruptions to our national rail system would also impact national security, causing delays and operational breakdowns. Two of the largest rail carriers in the U.S. estimate that they would each have to pay the state of California \$800 million dollars annually in compliance costs. Basically, rail would be economically infeasible in California, and these costs would be passed along to American consumers.

This is especially worrisome because under the Clean Air Act the California rule would become national in scope. Two-thirds of the locomotive fleet would be prohibited from operating in California by

2030, and even more states could've adopted this approach under the Clean Air Act. I have real concerns with allowing the state of California to set national emissions standards for trains, cars, and all other mobile sources, especially given its track record of green new deal policies and EV mandates.

Our vast nation depends on a complex and healthy transportation system. California does not and should not dictate national policy. Congress needs to do its job and modernize the existing statute. We must revise existing law to meet modern life. If we do not, our nation's families will pay the price.

I thank the members of this Committee who are leading these efforts, and I hope my colleagues take this opportunity to engage in meaningful permitting reform. Thank you.