

## Former EPA Administrators Address Direction of EPA in House Committee Hearing



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On June 11, 2019, the House Energy and Commerce Subcommittee on Oversight and Investigations held a hearing on “[Critical Mission: Former Administrators Address the Direction of the EPA.](#)” According to the June 6, 2019, [memorandum from Representative Frank Pallone, Jr. \(D-NJ\), Chair of the House Committee on Energy and Commerce](#), in April 2019, seven former Administrators of the U.S. Environmental Protection Agency (EPA) sent the Committee on Energy and Commerce and other congressional committees “a letter underscoring the importance of EPA’s mission and urging congressional oversight of the Agency.” The former Administrators’ letter urged the Committee to:

- Affirm the bipartisan mission of EPA to protect public health and the environment and hold it responsible for adherence to its mission and legislative mandates;

- Focus on the most significant and pervasive public health and environmental risks, including attention to the most vulnerable populations;
- Support the essential role of rigorous consensus science, economics, and engineering and ensure their use in EPA decisions and regulations;
- Concentrate on substantive policy, management, and enforcement/compliance issues; and
- Look ahead to the future to establish a foundation for advancing higher performing federal, state, and tribal environmental management systems through innovation, collaboration, and partnerships.

The memorandum states that in addition to raising these issues in the April letter, key areas of environmental concern have been raised by some former EPA Administrators, including EPA's disregard for science-driven policy; the lack of U.S. international leadership on addressing climate change; EPA's rollbacks of key public health and environmental protections; and proposed reductions to EPA's budget.

The Subcommittee heard from the following witnesses:

- [The Honorable Gina McCarthy](#), Administrator (2013-2017), EPA;
- [The Honorable Christine Todd Whitman](#), Administrator (2001-2003), EPA;
- [The Honorable William K. Reilly](#), Administrator (1989-1993), EPA; and
- [The Honorable Lee M. Thomas](#), Administrator (1985-1989), EPA.

During the hearing, all of the former Administrators stressed the importance of the use of sound science for EPA to fulfill its mission to protect public health and the environment. McCarthy testified that in the case of rules such as the Affordable Clean Energy (ACE) Rule, Mercury and Air Toxics Standards (MATS), and Obama Clean Car Rules, the current Administration is attacking the science and not examining the costs and benefits of the rules. In her written testimony, McCarthy states that in some cases, the regulated industries "view the rollbacks as a source of unnecessary uncertainty" and recommended that EPA either withdraw or moderate them. For example, Electric Edison Institute asked EPA not to reconsider the MATS "since it was essentially already complied with and any rollback could create stranded assets." The Auto Manufacturers expressed concerns about EPA's proposed Clean Car rollback, "which they see as a threat to their profits and a source of untenable instability given the timeline needed to plan model revisions."

According to Whitman, the current Administration is endangering public health and the environment by rolling back regulations without a thorough scientific basis for those rollbacks. There is a problem with the lack of availability and transparency of the science underlying the decisions that EPA is making. Thomas stated that it is important that EPA staff understand that there is an overall commitment to the Agency and its mission.

In the case of climate change, the former Administrators stated the U.S. needs to know what can be done to slow it down and how to prepare for it rather than ignoring

the topic. Reilly testified that the U.S. cannot solve climate change on its own as it is the number two emitter while China is number one. According to Whitman, EPA scientists have been told that they cannot participate in meetings regarding climate change or mention climate change in reports.

## **Commentary**

Nothing stated at the hearing was especially new. What was impressive was the collective testimony of four former EPA Administrators, from both sides of the aisle, expressing grave concern with some of the decisions made by the current EPA Administration, or the current Administration's claimed failure to lead. House majority leadership will undoubtedly continue to schedule public hearings over the next 18 months to maintain a constant drumbeat of concern over the rollback of current regulations and the lack of U.S. leadership on the climate change crisis. Some maintain these efforts are having an effect, as the environment is more of an election issue than it has been in years past. Whether such efforts will move the needle on the Trump Administration is another matter.

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