



COMMITTEE ON
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Lamar Smith, Chairman

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Statement of Environment Subcommittee Chairman Jim Bridenstine (R-Okla.)
Impact of EPA's Clean Power Plan on States

Chairman Bridenstine: Good morning and welcome to this morning's hearing entitled: "Impact of EPA's Clean Power Plan on States".

Today's hearing focuses on the impact the Clean Power Plan will have on states, and in particular my home state of Oklahoma. We will also examine and discuss the implementation and associated economic and legal issues of this rule at the national level.

The Clean Power Plan is not actually about environmental protection. Administrator McCarthy stated before this committee that the CPP is not measured by temperature or sea level impacts. She said, "It is measured in showing strong domestic action which can actually trigger global action." Additionally, if it was truly about protecting the environment, the EPA would not cherry pick the science that supports its preconceived biases in all its regulations.

This hearing comes at a critical time. Last month, President Obama and his administration committed another usurpation of constitutional power when Secretary of State John Kerry signed the UN Paris Climate Agreement in New York. The Clean Power Plan comprises a large part of how the administration expects the United States to comply with this agreement. Despite all the facts about why this agreement is a bad deal for America, President Obama has ignored Congress and the will of the people by choosing to bypass the proper constitutional mechanisms for approving an international agreement. Let us be clear – this was a treaty, and the president did not submit it for ratification.

While the U.S. would be required to sacrifice economic growth under this deal, China, India and the rest of the developing world will be building coal-fired power plants and emitting carbon at an unprecedented rate. In order for the U.S. to meet its promised reductions, future administrations will have to damage more industries such as manufacturing, agriculture and transportation. This has ramifications across the entirety of the American economy.

And for what? We have learned in previous hearings that these regulations are all pain with no gain. The Clean Power Plan does nothing to avert future temperature rise or prevent further sea rise. However, the economic costs to Americans will be

approximately \$29-\$39 billion per year. Electricity prices for consumers in 40 states could increase by at least 10% or more; prices in 17 of those states could increase by at least 17% or more. This is a war on the poor and will increase economic inequality across the nation.

With these facts, I completely agree with a recent characterization by one of our witnesses here today, Charles McConnell, that the Clean Power Plan as “ideological mumbo jumbo” and as “stupid regulations.”

The Clean Power Plan has serious legal deficiencies. Even President Obama's Harvard Law professor, Laurence Tribe, has called the Plan unconstitutional. Twenty-six states have sued the EPA over the rules, citing an overreach of authority under the Clean Air Act. This past March in response to these lawsuits, the Supreme Court issued a "stay" of the Clean Power Plan, which prevents the EPA from enforcing any of the rule's requirements until the lawsuits against it are fully resolved. The U.S. Court of Appeals for the D.C. Circuit announced that it would hear challenges to the Clean Power Plan sitting en banc with hearings scheduled for later this September.

However, despite the Supreme Court's stay of the rule, and despite the fact that this Plan is in litigation, the EPA has been moving forward with a regulatory structure to implement the Clean Power Plan. This is outrageous and wrong and I find these actions by EPA unacceptable.

Earlier this month, several of my congressional colleagues sent EPA Administrator McCarthy a letter raising concerns about these actions. In particular, the EPA sent a proposal to the Office of Management and Budget to implement a Clean Energy Incentive Program, a program based off of the Clean Power Plan. Further, EPA officials have notified stakeholders that compliance dates will not be adjusted in the event the rules are upheld. In other words, you better go ahead and begin complying. This is unacceptable.

EPA regulations should always respect the sovereignty of states, especially since it is the citizens in each state who bear the brunt of EPA's rules. I am particularly concerned with how this rule will affect the hard-working residents of my district in the state of Oklahoma, so I am especially pleased to welcome the Attorney General of my home state of Oklahoma, Mr. Scott Pruitt.

I want to thank each of the witnesses for coming this afternoon and I look forward to hearing from our witnesses today and yield back the balance of my time.

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