

## OPENING STATEMENT

Ranking Member Eddie Bernice Johnson (D-TX)  
Committee on Science, Space, and Technology

### *Examining EPA's Regulatory Overreach*

July 9, 2015

Thank you, Mr. Chairman. And, welcome, Administrator McCarthy. I want to thank you for being here today. Please take back to the employees of EPA my gratitude for their hard work and dedication. EPA's job is as hard as it is important. For two generations, we have relied on EPA to be the one Federal agency to protect the public and the environment from the pollution that comes with being an industrial society. Standing against you are corporations that have built their profits on a business model that viewed rivers, lakes, oceans and the sky as their dumping grounds. However, two generations of economic growth and innovation have shown us that we can clean up the environment and grow our economy.

If we were to rely just on the Majority's assertions we would think everything EPA does is wrong. For example, the Chairman has on a number of occasions cast EPA as a secretive organization setting out an aggressive regulatory agenda that ignores public comment and throttles the American economy.

In fact, the reality of the situation is far different than that caricature.

The reality is that the Obama Administration has done far more than the previous one to make sure that the water we drink and the air we breathe are clean. The Administration is pursuing a pro-health oriented environmental agenda that includes reducing carbon emissions and slowing the path of global warming. These actions are immensely popular with the vast majority of Americans.

You know what else is popular? The economic results the Obama Administration has delivered.

As of January, the economy had gained almost 5 times more jobs under President Obama than it did during the presidency of George W. Bush. Corporate profits are nearly double and stock prices have grown proportionately.

This may come as news to my friends on the other side of the aisle, but we are seeing EPA actually enforce the law--something that the prior Administration was reluctant to do--while also producing jobs and profits. It turns out that these are not mutually exclusive outcomes.

Now the Chairman is trying to paint a picture of EPA as being engaged in secret dealings with the environmental community.

He has made much of the Administrator's deleting text messages, the use of private email by EPA employees, and the use of social media to reach out to Americans to let them know of regulatory proposals.

The truth is that no other agency in our jurisdiction has to develop a more public, and publicly-discussed, agenda than does EPA.

This Committee is not expert in regulatory processes, so perhaps the Majority is unaware of the multiple public listening sessions, the hundreds of formal filings, and the hundreds or thousands of comments that EPA gets and processes in their regulatory actions. It takes years and years of effort for EPA to move a

regulation from a proposal to a final rule. You have to ignore all that public comment to believe that there is something secretive about EPA's rulemaking.

Finally, the use of social media to communicate with the American public is nothing more than recognition of how our society communicates these days. I suspect every Member of the Committee uses Twitter and Facebook and the internet to communicate with our constituents and the broader public. Engaging the public and providing opportunities to shape regulation appears to me to be a positive step towards a more democratic government. In the past few years, I have heard many members of the Majority complain that EPA needs to listen more to the public as they move proposals forward. However, the public consists of more than regulated industry with their high-priced lobbyists, and so I cannot see how using social media does not fit with the broad belief of Members on both sides of the aisle that people should have a voice in policymaking.

Let me close, Administrator McCarthy, by encouraging you to not let the investigative theater of this hearing get to you. There are some in think tanks and industry lobby-shops, and perhaps even on this Committee, whose mission seems to be to attack the reputation of the agency as a way to slow your work. However, it is vitally important that EPA keep working to protect public health and improve our environment. The agency has been doing a remarkable job on that score, and I hope and trust you will not lose sight of the importance of your great public task.

Thank you and I yield back.