

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 411

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON SMALL BUSINESS.—Ms. Hahn, to rank immediately after Mr. Richmond.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2401.

The SPEAKER pro tempore (Mr. PALAZZO). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 406 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2401.

□ 1738

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 1 hour.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

The last time the Clean Air Act was significantly changed was in 1990, nearly 21 years ago, and since that time, a lot of changes have occurred in America. First of all, we find ourselves today with a situation where over 14 million Americans are unable to find work and millions more have given up trying. It appears that the only place where the job situation is good is at Federal regulatory agencies. Employment at Federal regulatory agencies

has climbed 13 percent since President Obama took office, while private sector jobs shrank by 5.6 percent. I believe these two divergent trends are related because the breaking pace at which the Environmental Protection Agency is cranking out new regulations is creating obstacles to job creation in America, and also to stimulating the economy.

I don't care if you speak to small business people today or large business people today, they will tell you that one of the reasons that they are not investing is because of uncertainty—uncertainty about the health care bill that was passed last year, uncertainty about the financial regulations that are raising capital requirements and making loans more difficult to obtain, but primarily they talk about the excessive regulations coming out of the Environmental Protection Agency.

Now, these regulations normally are not scrutinized very much, but I believe that the legislative branch has the responsibility, particularly when this many regulations are coming down the road, at a time when it's having impact on our ability to grow the economy, that the legislative branch needs to look at it, and that's precisely what we're doing with the TRAIN Act.

□ 1740

Under the TRAIN Act, we are establishing a government body that will look at the cumulative impact of about 12 regulations that have come down from the EPA in the last year or so. For example, there are a number of costly new rules impacting coal-fired electric power plants. These include utility MACT, Cross-State Air Pollution Rules, greenhouse gas rules, coal combustion residuals, and others.

Each of these rules, alone, will force some existing power plants to shut down, while also blocking new ones from being built. This is bad enough, not just for jobs, but also because it will raise electricity prices. But the combined effect of all these rules is far worse. In fact, it could even reduce generating capacity enough that it would jeopardize the reliability of the Nation's electric grid system. And we need to know all of the information that we can obtain about these regulations so that we can move forward in a legitimate and conscientious way.

If America is going to remain competitive in the global marketplace, it is going to have to have reasonable electricity prices, and that's going to be essential if we're ever going to stimulate this economy and create jobs in America.

The cumulative burden of regulations really has not been much of a burden in the past because it's seldom that EPA has ever come forth with this many regulations. But the Obama administration's attempt to squeeze at least a decade's worth of major Clean Air Act regulations into less than 3 years, and do so in the midst of a weak economy, creates serious problems for America.

The TRAIN Act, which really is very simple, will require an analysis of the cumulative impacts of the listed rules on energy prices and reliability, on jobs, and the effect on American competitiveness.

Two upcoming rules that pose a particularly serious threat and are a major component of EPA's agenda are the utility MACT and the Cross-State Air Pollution Rule. For these two rules, we will be offering an amendment that would put them on hold, pending completion of the cumulative impact study, as well as make substantive changes to make sure that they are achievable in real life.

I might point out that the utility MACT is not in effect yet. The final rule is expected in November of this year. But the Cross-State Air Pollution Rule is in effect, and they'll start implementing it the first of the year.

We're going to ask that that implementation be delayed until the final rule of our committee that's established under the TRAIN Act makes its final report on August 1, 2012.

Some people are saying, well, if you delay this, then what are we going to do about our air transport rule? Well, the reality is that we have an air transport rule in effect today. I might add that EPA, when they implemented this bill, the CAIR Act, which was invalidated by a Federal court, showed that the SO₂ emissions, the NO_x emissions would be reduced significantly. And just about every environmental group in America supported the implementation of CAIR.

I might also say that with CAIR, at that time, EPA came out with one of their benefit analyses, and they said CAIR will result in \$85 billion to \$100 billion in health benefits each year, preventing 17,000 premature deaths, 22,000 nonfatal heart attacks, 22,300 hospital admissions, 1.7 million workdays, 500,000 lost schooldays. What we have in place today is doing a tremendous job; and until a court invalidated it, everyone was pleased with it. And so there's little reason for us to rush forward to put in a new air transport rule when we have one that is working fine today.

I might also say, some people have criticized this by trying to look at the cumulative impact of all these 12 or 13 regulations that EPA has implemented, but I would point out that President Obama, in his Executive Order 13563, said: I'm asking people in my administration to tailor regulations to impose the least burden on society, taking into account other things, including the cost of cumulative regulations.

So this legislation, which some people are going to describe as radical, is simply implementing what President Obama has asked his Environmental Protection Agency to do, and yet they refuse to do it.

With that, I do hope that people will support H.R. 2401. It's a commonsense approach to remove regulations that