



COMMITTEE ON
ENERGY & COMMERCE
RANKING MEMBER FRANK PALLONE, JR.

DEMOCRATS

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**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery
Committee on Energy and Commerce
Subcommittee on Energy and Power
Hearing on “EPA’s CO2 Regulations for New and Existing Power Plants: Legal
Perspectives”**

Let me begin by quoting President Obama, who recently said: "Climate change is no longer some far-off problem; it is happening here, it is happening now." We cannot wait for some future generation to take action. And we know that any meaningful action must include drastically reducing our carbon emissions, in order to have any chance of preventing the worst impacts of a changing climate.

That is why EPA has taken action by finalizing a workable plan to reduce emissions of carbon pollution from power plants, which are the largest uncontrolled source of man-made greenhouse gases in the U.S. The Clean Power Plan outlines a path to cleaner air, better health, a safer climate and a stronger economy. The rule also gives states flexibility to choose how to achieve their emission reduction goals, which are state-specific and cost-effective. This is a moderate and reasonable approach, and falls well within the legal authority – and responsibility – of the EPA to address carbon pollution from power plants.

But I’m sure we will hear a different story from Republicans. Today’s hearing is the seventh on this particular rule, and the second hearing purportedly to examine the “legal problems” with the Clean Power Plan.

We should not heed the absurd arguments made on behalf of companies that profit from the status quo. Make no mistake, many of the arguments presented today are well known: that EPA’s plan is not legal, that it is unworkable, and that some states may refuse to participate. We have heard these claims during previous hearings and debates on the House Floor. We have heard them in the numerous premature attacks on the Clean Power Plan and EPA's carbon standards for new power plants that have already been rejected by multiple federal courts.

And despite the zeal of the rule’s opponents, all of these arguments have been soundly refuted and dismissed at every turn. Constantly repeating misguided assertions will not magically make them legitimate or true. Frankly, these frivolous lawsuits are just wasting

taxpayer dollars in the name of attacking any action by this Administration to address climate change and carbon pollution.

All of this is to say that we are on a well-trodden path, and I believe Committee time could be put to better use. The truth is, Congress overwhelmingly passed the Clean Air Act, a Republican President signed it into law, and now EPA is fulfilling the executive's duty to "take care that the laws be faithfully executed." EPA is doing the job we asked them to do, and it is time members accept that the Clean Power Plan is on solid legal ground and move on.

As I've said before, those making the arguments heard today aren't really interested in finding solutions to our carbon pollution problem. They aren't interested in developing a plan to help us reduce emissions while still maintaining a safe, reasonably priced electricity system. They are more than welcome to ignore the facts. They are more than welcome to reject any reasonable plan to address climate change. But history will not treat them kindly. History is on the side of those who want to act on climate change; those who believe in the power of American innovation and our ability to successfully meet any challenge, and who look to the future rather than the past.

We have already wasted too much time listening to the absurd arguments against the Clean Power Plan and on legislation to "just say no" to climate action. Now Congress must turn the page. What we cannot do, as President Obama said, is "condemn our children to a planet beyond their capacity to repair."

Thank you.

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