

## **OPENING STATEMENT**

Ranking Member Eddie Bernice Johnson (D-TX)

House Committee on Science, Space, and Technology  
Subcommittee on Oversight

*“Racing to Regulate: EPA’s Latest Overreach on Amateur Drivers”*

March 15, 2016

Mr. Chairman, I am a strong supporter of the Clean Air Act amendments that went into effect in 1970 during a Republican Presidential Administration. Those federal regulations have saved many thousands of lives, removed tons of toxic contaminants from our environment, and continue to have a positive impact on the everyday lives of our citizens. They also include key provisions regarding the regulation of motor vehicles’ emission control devices, which is at the heart of the issue we are discussing today.

It seems the Environmental Protection Agency’s (EPA’s) clarification of these provisions last July generated a lot of interest in the racing car and aftermarket car parts industries. They feared this was a new rule that was seeking to expand EPA authority under the Clean Air Act and would result in EPA enforcement actions against individual drivers and racecars. However, the language of the law has not changed, and the EPA has tried to make clear that last July’s statement was simply a clarification of existing law. EPA has also said that they have never attempted to enforce these provisions by going after individuals and that they do not plan to do so in the future.

It is unclear to me that this hearing would even have been necessary if the Majority had ever reached out to EPA for information on this issue prior to calling this hearing. For reasons known only to them, the Majority did not seek a briefing from EPA on this topic and the Majority did not ask the EPA to testify at this hearing.

While the Majority has said this hearing is supposed to “examine the scientific underpinnings” of the EPA decision to enforce the Clean Air Act, the Majority also chose not to invite any scientists to this hearing. Instead, they invited the President of the industry trade group that is engaged in a public dispute with the EPA over this issue and a race announcer, who has a right to advocate his views, but is certainly not a scientist.

Mr. Chairman, whether you agree with the EPA position on this issue or not, I would have hoped that you would have wanted to understand the views of the Agency that you are castigating in public and alleging – once again – has engaged in regulatory overreach.

As the Ranking Member of the Science Committee, I wish that we would routinely attempt to actually understand the issues we look into fully – from all perspectives – before we offer sweeping condemnation, or support of legislation, on issues or agency actions. That does not appear to be the path the Majority has chosen to follow today. As such, it is another missed opportunity for responsible oversight.

Thank you. I yield back.