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Witnesses

The Honorable Lisa Jackson

Administrator, United States Environmental Protection Agency

Committee Members Present

Barbara Boxer, Chair (D-CA)

James Inhofe, Ranking Member (R-OK)

John Barrasso (R-WY)

Bernard Sanders (D-VT)

Tom Udall (D-NM)

Mike Johanns (R-NE)

Sheldon Whitehouse (D-RI)

Frank Lautenberg (D-NJ)

Ben Cardin (D-MD)

John Boozman (R-AR)

Weighing in on the costs versus the benefits of the Environmental Protection Agency's (EPA) regulations, the Senate Environment and Public Works Committee held a hearing on March 2, 2011 to discuss the fiscal year (FY) 2012 budget request for the agency.

Saying "it hurts my heart" to see the \$1.3 billion cut proposed for EPA, Chairman Barbara Boxer (D-CA) [acknowledged](#) that the decrease is necessary and responsible given the tough economic times. She said that, despite the cuts, President Obama's budget request allows EPA to continue to protect public health by keeping the country's air and water clean. On the other hand, the House-passed long term continuing resolution for FY 2011 that would cut EPA's budget by 30 percent would "force communities to bear the burden of more pollution in our air and water," Boxer warned.

Ranking Member James Inhofe (R-OK) [expressed](#) his disappointment with EPA's budget request, calling it a "fiscal bait and switch." Almost all of the \$1.3 billion in proposed cuts comes from decreases to three water programs that have strong bipartisan support, he said, including \$947 million from the Drinking Water State Revolving Fund (DWSRF) that helps states supply clean drinking water. "You can bet these cuts will be restored," he predicted, telling Lisa Jackson that EPA should work to find more responsible and politically realistic cuts. Inhofe called for eliminating funding for EPA's greenhouse gas (GHG) regulations, mentioning his draft bill that would prevent EPA from regulating carbon and GHG emissions.

EPA Administrator Lisa Jackson [discussed](#) the key priorities expressed in the FY 2012 budget request, including responding to climate change by improving air quality, continuing to protect America's waters, enhancing chemical safety with chemical hazard and risk assessments and maintaining a strong science foundation. She said that given the fiscal restraint, she accepts the proposed cuts, but without enough support from Congress, EPA cannot fulfill its responsibility to protect Americans from pollution and toxic materials.

Argument focused on whether the new GHG regulations EPA enacted in January and any other future regulations would hinder or help economic growth and activity. Jackson cited that in 2010, the Clean Air Act (CAA) prevented 160,000 premature deaths, 86,000 hospital visits and 13 million lost work days. According to reports, the health benefits of the CAA are between \$30 and \$40 for every \$1 spent. Hearing these figures, Chairman Boxer exclaimed "give me a break," to claims that the CAA is costing people. On the other hand, John Barrasso (R-WY) said that the situation created by the carbon regulations "may be a regulator's dream, but it is a small business owner's nightmare." Senator Inhofe urged Jackson to analyze the cumulative effects of EPA's regulations. Jackson added that since the implementation of the CAA, America has grown to have the world's leading air pollution control industry and that the industry adds to the country's trade surplus by exporting equipment to countries such as China.

Others stated that EPA has no authority to regulate GHG altogether. Only Congress should be able to, according to Inhofe, and it

has shown no willingness to do so. Senator Sheldon Whitehouse (D-RI) argued that the 2007 Supreme Court decision allowing EPA to regulate GHG under the CAA following a positive endangerment finding of carbon dioxide settled the matter and gives EPA the right to enforce rules on carbon dioxide and other GHG. Inhofe, Barrasso and other members of the committee doubted the validity of claims that climate change is occurring and is due to man-made activity. In response, Senator Tom Udall (D-NM), Chairman Boxer and Jackson joined Bernard Sanders (D-VT) in explaining that the overwhelming consensus of the scientific community is that global warming exists and that it is largely man-made. Barrasso noted in his opening statement that in the 1970s a handful of scientists were predicting global cooling, comparing their warnings to the global warming “doomsday predictions” of today. Udall responded that there was no scientific consensus surrounding the global cooling predictions of the 1970’s as there is today in regards to climate change.

Several members expressed their concern about the cuts to the DWSRF, and Jackson admitted that the decrease was a “tough choice.” Senator Sanders and Senator Sheldon urged EPA to give attention to the poor state of the country’s aging water infrastructure. Senator Ben Cardin (D-MD) mentioned that a cut to EPA funding as large as 30 percent would further lessen EPA’s ability to offer resources and support to states, who would then end up bearing the burden of less funding.

Senator John Boozman (R-AR) asked whether EPA is planning on setting a total maximum daily pollution load for the Mississippi River, mentioning such regulation would be complicated given that nutrient loading from sources such as runoff is nonpoint source pollution. Jackson acknowledged the concerns, adding it is an important regional issue that transcends state boundaries, but she said EPA does not have plans to set a limit.

Testimony from the chair, ranking member and witness, as well as an archived webcast, can be found at the [Senate Environment and Public Works Committee web page](#).
