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## **CPR's Steinzor Testifies on Elevating EPA to Cabinet Status; Warns of Pitfalls in Legislation**

Washington, DC ----- Center for Progressive Regulation Board Member Rena Steinzor today warned a congressional panel that language in a current proposal to elevate the Environmental Protection Agency to Cabinet status could roll back efforts to protect the environment, including those made by President Bush's father when he was President. In testimony this morning before the Subcommittee on Energy Policy, Natural Resources, and Regulatory Affairs of the House Government Reform Committee, Steinzor, a professor of law at the University of Maryland, warned that having a ceremony in the Rose Garden to celebrate passage of the controversial bill would be like "fiddling while Rome burns" given the current Bush Administration's assault on those past accomplishments.

"H.R. 2138 would define EPA's mission as protecting the public from 'unreasonable environmental risks,'" Steinzor told the panel. "This standard is borrowed from the Toxic Substances Control Act, the least effective and least protective of all of the statutes that EPA administers. If this standard were read to trump the more protective provisions of such vital laws as the Clean Air and Clean Water Acts, EPA would be crippled, perhaps beyond repair.... If...the unreasonable risk standard is intended to govern the Agency's regulatory policies, H.R. 2138 represents among the most devastating proposals yet advanced to deregulate harmful industrial practices."

H.R. 2138 was introduced by Rep. Doug Ose (R-CA), chair of the subcommittee. Separate legislation introduced by Rep. Sherwood Boehlert (R-NY) would elevate EPA to Cabinet status without other changes in the Agency's mission or methods.

Professor Steinzor also warned the Committee that "Opponents have laid siege to the Agency, which just lost Governor Whitman. A range of deregulatory initiatives imposed by the White House have undercut its daily work more drastically than at any point in the last 15 years. [C]elebrating its Cabinet status would convey a profoundly misleading impression about its stability and effectiveness."

Professor Steinzor also commented on a reorganization plan included in the Ose bill. "The reorganization plan for the new Department set forth in H.R. 2138 fragments its core regulatory missions and creates a new layer of bureaucracy that will further congeal proactive efforts to enforce the law. The draining task of implementing this plan will cost EPA at least two years of progress on other aspects of its mission, as positions and

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policymaking jurisdiction are shuffled and turf wars fought. The environment and public health cannot afford such delays, especially given EPA's central role in addressing the threats posed by terrorism in such arenas as chemical plant safety and federal facility decontamination."

*Founded in 2002, the Center for Progressive Regulation is a nonprofit research and educational organization of university-affiliated academics with expertise in the legal, economic, and scientific issues related to regulation of health, safety, and the environment. CPR supports regulatory action to protect health, safety, and the environment, and rejects the conservative view that government's only function is to increase the economic efficiency of private markets. Through research and commentary, CPR seeks to inform policy debates, critique anti-regulatory research, enhance public understanding of the issues, and open the regulatory process to public scrutiny.*

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