

HEARING ON THE NOMINATION OF MICHAEL S. REGAN TO BE
ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WEDNESDAY, FEBRUARY 3, 2020

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 2:04 p.m. in room 106, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

Present: Senators Capito, Carper, Barrasso, Inhofe, Cramer, Braun, Rounds, Sullivan, Boozman, Wicker, Ernst, Lummis, Cardin, Whitehouse, Merkley, Gillibrand, Booker, Markey, Duckworth, Van Hollen.

Senator Capito. I would like to call the committee to order. I think we have an exciting day today. Any time that we are considering one of the President's nominees to an extremely important Cabinet position, it bears our not just great attention, but also our gratitude to folks who put their names in for public service. So we will get a lot into that today.

In finality, this is our Chairman's, Chairman Barrasso's final meeting and final showing in EPW. He will be moving over to Energy in a leadership position over there. He will also be leaving this committee. So it is with great sadness and regret that we know that you are leaving, Chairman Barrasso. We thank you so much for your years of service here, and certainly your leadership of this extremely important committee, particularly with that Transportation Bill last year.

So I am going to turn it over to you for some statements and then we will proceed with the rest of the meeting.

STATEMENT OF THE HONORABLE JOHN BARRASSO, A UNITED STATES
SENATOR FROM THE STATE OF WYOMING

Senator Barrasso. Thank you so very much, Senator Capito. We are here today to consider the nomination of Michael S. Regan to be Administrator of the Environmental Protection Agency.

But before we begin with the formal proceedings, I see the two Senators from North Carolina are here to do introductions, I just want to say a few words about our incoming Chairman, Tom Carper, and our incoming Ranking Member, Shelly Capito. For the past four years, it has been a pleasure to work so closely with both Senators Carper and Capito here on the committee. Our partnership, the three of us, as well as other members of the committee, resulted in two separate bipartisan water infrastructure laws that are going to create jobs and provide clean drinking water to communities, increase water storage in the west, prevent floods, replenish beaches on the coast, and help keep our economy moving.

We wrote comprehensive, historic highway infrastructure legislation that included hundreds of billions of dollars for America's roads and bridges. Our highway legislation cut red tape for important construction projects while also including the first ever, first ever climate title to protect our environment coming out of this committee, as part of the Transportation Bill.

Senator Carper was my bipartisan partner on these efforts, and Senator Carper played a central and critical role in writing these bills, as she served as the chair of the Infrastructure Subcommittee. Our highway legislation passed the EPW committee unanimously, 21 to zero. Senator Carper and I also worked together to pass multiple laws to protect wildlife. The WILD Act is going to help spark groundbreaking conservation innovation and protect iconic species.

We also passed the America's Conservation Enhancement Act, also known as the ACE Act. The purpose, of course, was to combat invasive species, to address emerging wildlife diseases like chronic wasting disease, all while protecting livestock from predators. These bills were praised by farmers, hunters, anglers, conservation groups, environmentalists, and our home States.

Finally, we partnered to pass a historical environmental innovation law that will boost carbon capture technologies while also reducing greenhouse gases from our homes, our air conditioners, and our school busses. This committee has served as a shining example of what can be accomplished when Democrats and Republicans work together. We agreed to follow Senator Enzi's 80-20 rule, and we worked where we could and we found common ground repeatedly.

Bipartisan change is lasting change. It will make a big

difference for a long time to come. We were able to work together to get things done for the American people.

Senator Carper, I sincerely want to thank you, thank your staff, for working with me over these past four years, and for your dedication to getting so very much done in a bipartisan and productive way. And I am very confident that that productive partnership is going to continue with Senator Capito as the top Republican on the committee. As I have already said, she has played such a critical and crucial role in getting our infrastructure legislation across the finish line. She also was a leader when our committee worked across party lines to address pollution from PFAS chemicals, a leader in that area, a priority for her and her home State.

So I know she will lead the Republicans on the EPW very well. This committee is in very capable hands.

With that, I will turn the gavel over to Senator Capito to preside over the hearing. Thank you to both of you.

[The prepared statement of Senator Barrasso follows:]

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Mr. Chairman. I appreciate your being here.

We have another former chairman here as well, and then in probably five minutes, the soon-to-be Chairman. So I get to be a chairman too, so this is probably some historic number of chairmen here.

Thank you again for your service to this committee. I know you will do great work over on Energy, as you do everywhere. So thanks a lot, and thanks for enumerating some of the successes from last year.

I would like to give an opening statement, then I will turn to my Ranking Member, who is my Ranking Member for 10 minutes. In any event, some of the successes I would like to talk about that we were able to achieve in this committee over the last several years was when President Trump signed the USEIT Act, which supports carbon capture and utilization, and sequestration. It was a great bipartisan bill that Senator Whitehouse and Senator Barrasso and several of us on the committee worked on together.

The Diesel Emissions Reduction Act, which is something we have been working for years, was passed. Another WRDA bill went through at the end of the year, which is always a good every

two-year exercise for all of us. And the American Innovation in Manufacturing, or the AIM Act, which will reduce emissions of HFCs used in air conditioning and refrigeration.

So that spirit of bipartisanship that we had last year I hope is one that we can, and I intend to certainly maintain and foster, and from our conversations, numerous conversations, I know, I feel as though Senator Carper feels the same way.

Our most pressing focus this Congress will be passing the five-year Highway Bill. This is a tall order, but one where this committee has already had a record of success. Senator Barrasso talked about it. We reported out the bill 21 to nothing last year, and I look forward to, and I think we are going to have quick work taking up the Highway Bill in this committee. Because the importance, not just to our Nation's infrastructure, but also to our employment structure here, it is a jobs bill. It always has been and it will remain that way, and at a time no more timely than the present.

So I look forward to working with everybody because we must give our States the certainty. With that optimistic introduction, I want to welcome our nominee for Secretary, Michael Regan, and his family here, the nominee for EPA Administrator, to our committee today. I got to meet his wife and his very fun and smart young son, Matthew. So congratulations on your nomination.

I look forward to the opportunity to get to know you better, and discuss and work together into the future.

While I am encouraged by the continuing bipartisanship among members of our committee, I am concerned by the direction that the Administration has taken in the first few weeks of office. I want to understand your position on these policies. We talked on the phone about this. President Biden did campaign on issues of unity, and there is no committee where we praise unity more, and sometimes we have more disunity sometimes, than this committee that we are sitting on.

The barrage of executive orders has particular concern for me. His decision on the Keystone XL pipeline has, I think, great impacts in the job markets. He has put us back in the Paris Agreement, which also has great impacts, both economically in this Country and his Administration has doubled down on the desire to financially support other countries' climate goals, while our own Country, as we know, is facing economic challenges.

He has ordered agencies across the Federal Government to examine and uproot critical regulatory reforms, including several within the jurisdiction of the EPA, even without an administrator in place. Executive Order 13990 directs the EPA to consider suspending, revising, or rescinding major rules that were put into place by the Trump Administration. Those rules

include regulations on methane emissions, the safer, affordable fuel-efficient vehicles rule, called the SAFER Rule, and the cost benefit and science transparency policies.

In my view, I think that I see this as a foreboding of what happened in past administrations. Coming from a State like West Virginia, it is a cautionary tale.

The fate of other rules, like the Affordable Clean Energy Rule, and the Navigable Water Protection Rule, which are important in all of our States, is something that I am sure we will be digging down on in this hearing. So I would like to say that it is hard to build back better as the President has said if we can't build anything. That is why I think the Executive Order 13990, which directs us to revisit the NEPA regulations, which we were encouraging to expedite infrastructure delivery, I think is also, could be, problematic.

So I think that the President has taken, he has talked, I mean, I was in the Oval Office with him on Monday as we talked a lot about bipartisanship and the need to work together. So I think that I am concerned about some of the appointments that the President has made where they are not in the purview of this committee or any, really, Congressional committee or Congressional oversight. That of course would be Gina McCarthy and John Kerry. They have already established themselves as the unconfirmed and unaccountable czars on climate, as they made

that very clear on Wednesday's White House press conference.

I am concerned that this is shaping up to be a third Obama Administration. And as I enumerated, and I know I have talked with my friend, Senator Carper, about the impacts that that had on my State of West Virginia.

I am concerned about the leadership in the White House, with the czars, what kind of impacts will that have on you, should you be successful to become the EPA Administrator, what kind of impacts that will have on you as you carve your own course in conjunction with the Administration. I would remind you, and I think I did on the phone call, that one of my objections to Ms. McCarthy is the fact that she wouldn't, at our invitation and many invitations, come to the home States of those Senators where had the most deep economic impacts of the Clean Power Plan. It still stings, I will say. I am hoping that we can have a different outcome. You and I talked about this on the phone.

So I think as we look at that, and that is a balance, it is an achievable balance, but it is a balance. I think that the President and you also talk a lot about environmental and economic justice. But sometimes I question, where is the justice when it is not taken into consideration that many people are being plunged into poverty, unemployment, drug addiction and hopelessness by some of the misguided policies.

So with that, I will turn this over to Senator Carper, who is in this particular meeting the Ranking Member. But I look forward to discussing this, and I look forward to having our two Senators after Senator Carper makes his opening statement.

Thank you.

[The prepared statement of Senator Capito follows:]

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Thank you, Madam Chair.

Most people remember January 6th as a day that will live in infamy, and the Capitol was stormed and overwhelmed by thousands of rioters, people died, in fact, we lost another Capitol policeman just this week, very sadly. Another, we are remembering another one who sits in state today in the Capitol.

The thing that I remember also about that day, and you may as well, Madam Chair, you may remember when the Senators had gathered, it was about noon on the 6th, and the idea was for Senators to walk through the Capitol down to the House chamber to begin the work of certifying the results from 50 States with respect to the election. We usually walk two by two, like Noah's ark. I asked Senator Capito if we could just walk together, and she graciously said yes, and we did.

Along the way, we talked. I hope you remember this; I certainly do. We talked about a common agenda that we can work on together. The idea was that we can have cleaner air, cleaner water, address climate change, and create jobs, a lot of economic opportunity, including in places like West Virginia, my native State. I found it a very encouraging conversation.

I am also encouraged by the of Senator Barrasso, a good friend and good partner over the last several years on this

committee. He has a close friend from Wyoming who ended up being Assistant Secretary of the Interior, Rob Wallace. Rob Wallace sat right here in our hearing a couple of years ago for his confirmation hearing to go to the Department of Interior. Some of you may remember when Rob Wallace was reminded of the bipartisan nature of this committee, the way we work, whether the chair is Jim Inhofe or Shelley Capito or Tom Carper or John Barrasso, that is the way we have traditionally worked.

That is the way I want to see us continue to work. Rob Wallace said these words, I will never forget, I have used them hundreds of times since. He said, "Bipartisan solutions are lasting solutions." That is what he said, bipartisan solutions are lasting solutions. That is true in this committee, and God willing, it will always be true.

I just want to say a special thanks to two Senators from North Carolina, Richard, welcome, Tom, welcome. We are delighted that you are both able to be here. It is very good of you to come.

I also want to say, we are gathered here, first of all, Melvina, would you raise your hand? I feel like we are on a football field here. Matthew, would you stand up? Matthew, how are you doing, buddy? Welcome, thank you so much, both of you, for being here, to be with your husband and be with your dad.

We are gathered here today to consider the nomination of

Michael Regan to serve as the Administrator of the Environmental Protection Agency. It reminds me a little bit of what we used to do in the Navy, we had hail and farewell events several times a year, for those who were coming in to join us for my squadron or those who were leaving. We are welcoming some new folks on our side. I think Senator Stabenow and Senator Padilla are joining us here. We are saying goodbye, though, to Senator Gillibrand, Senator Booker, and Senator Van Hollen. And I just learned here today we are saying goodbye to our friend John Barrasso, which I did not see coming. I am surprised to hear that, and disappointed.

I want to thank John for his leadership over the past four years. It has been a joy working with him and his staff, led by Richard. I want to thank Mary Francis over here. She and Richard made a good team. We got so much done, so much done, very, very proud of what we accomplished by working together.

I also want to thank you, Madam Chair, and your staff, for your assistance in bringing this hearing together today. I want to congratulate you on your new leadership positions, one more short-term than the other.

[Laughter.]

Senator Carper. As we discussed last month on January 6th, and as recently as last week, there is a lot of important work ahead for our committee. I very much look forward to working

together as partners in tackling the challenges facing our Nation and our planet.

With that, I want to warmly welcome our nominee, Mr. Regan, and thank him for being here with us today, and also his wife, Melvina and his son, Matthew. I want to thank your wife and our son not just for them being here, I just want to thank you for your willingness to share your husband and our dad with our Country. This is really important work. This is going to help determine what kind of planet we live on, and Earth we have, the quality of our life in the days to come. So thank you for sharing him, as you have already shared him with the people of North Carolina.

As we know, Mr. Regan and his family hail from the State of North Carolina, birthplace of my wife, Martha, who Michael may recall is a graduate of Appalachian State University, where her dad taught math and physics for 40 years. She sends her very best wishes to you and your family on this special day, Michael.

Martha and I had the privilege of meeting Michael about a year ago. As I have gotten to know him in time since then, I have become convinced that he is the right person to lead the Environmental Protection Agency during this critical time in our Nation's history. He is a man of deep faith, who believes, as I think all of us do, that we have a moral obligation to be good stewards of the planet on which we live.

I believe that Michael Regan is someone who can help unite us in a common purpose, as we respond to the climate crisis we face as well, as to clean our air, our water, and make sure that we don't leave some of our communities and neighbors behind in the effort to do so.

Currently, Mr. Regan serves as the secretary of North Carolina's Department of Environmental Quality, a role where he has demonstrated over the past four years the power of effective leadership in improving the quality of the air North Carolinians breathe, and their neighboring States as well, and the water they drink. For proof of this, we need only look at some of his accomplishments during his tenure there. They include leading the negotiations that resulted in the cleanup of Cape Fear, not far from where my wife, Martha, lived and worked when she was getting out of college.

He also negotiated and oversaw what is considered to be the largest coal ash cleanup settlement in I think the history of the United States. He created North Carolina's first ever Environmental Justice and Equity Advisory Board.

Mr. Regan has been able to do these things and much more by bringing people together in common cause while never compromising on his principles. Again, the presence of Senators Burr and Tillis here bear testimony to that, and again, we welcome each of you to this hearing.

In the Tarheel State, Michael Regan developed a reputation as a leader who works with Democrats and with Republicans to forge practical solutions, solutions that protect the air we breathe, the water we drink, while supporting job creation and economic growth. As we struggle to put this current recession behind us, that kind of leadership is what need now more than ever at EPA.

It is no secret that the next EPA Administrator has his work cut out for him. In addition to addressing the serious environmental issues that are affecting Americans, the next EPA Administrator will also be tasked, along with the members of this committee, to help him rebuild an agency badly damaged at times in recent years by flawed leadership and an agency suffering from organizational drift, and for the most part, low morale. One of the keys to accomplishing this will be restoring scientific integrity as a foundation of policy making at EPA. Michael Regan understands that well.

The men and women of EPA need to work with purpose and with dispatch to address the climate crisis facing our Nation and our planet. It is real; the threat it poses to our planet is growing worse, not better. The EPA team can do so in part by working with the U.S. Department of Transportation, the auto industry and others to restore vehicular greenhouse gas emissions standards. As you know, we have had some encouraging

developments there, especially with mobile sources, the auto industry reaching out and saying, we want to be part of the solution. I am very much encouraged by that, just in the past week.

The EPA team also needs to implement our new HFC phase-down law and the Toxic Substance Control Act, both authored by members of this committee. As well as to reverse and replace the oil and gas methane rules and begin work on the next phase of climate rules for power plants, vehicles, and refineries.

In addition, EPA needs to ensure cleaner air by reestablishing the legal basis for Mercury and Air Toxic Standards. And it must better protect human health, as North Carolina has already done, by taking action on certain so-called forever chemicals, such as PFOA and PFAS, that also foul the groundwater of States like West Virginia, Delaware, and hundreds of other communities across America. Moreover, in doing this work, EPA must curb the influence of special interests within its scientific advisory bodies.

Our new President is calling on Americans to Build Back Better. To do that, we will need to redouble our efforts to address the climate crisis, safeguard our air and our water, as well as our other natural resources and ensure environmental justice in all of our communities. We must rebuild our infrastructure, roads, highways, bridges, water, wastewater,

access to broadband, those are just some of the parts of our infrastructure that need to be rebuilt. They shouldn't be partisan issues, they ought to be bipartisan issues. I think they will be. Most of those are within the purview of this committee.

That does not diminish how hard it is going to be; it is going to be a challenge. The challenges are daunting. But if we do it together, we will succeed.

I believe that Michael Regan is the partner we need at EPA to do these things. He has a good heart and a good mind. He knows how to assemble, retain, and inspire a team of talented men and women. He has what it takes to help us make progress on many fronts as we seek to protect our planet and its inhabitants while creating a more nurturing environment for job creation and job preservation. That is why President Biden has nominated him for this important position.

So, Mr. Regan, welcome. Thank you for appearing before us this afternoon and for your willingness to serve our Nation as we take on some of the most serious challenges in our history. We look forward to hearing from you today and, if confirmed, to working with you and those you will lead in the years to come.

Before I turn it over to Senator Capito, let me close with these words of Albert Einstein. Albert Einstein used to say, "In adversity lies opportunity." Think about that. In

adversity lies opportunity. There is no doubt that we face plenty of adversity in this Country and on this planet as we gather here today, but along with that adversity comes extraordinary opportunities to do great things for the people whom we are privileged to represent, along with our neighbors, whether those neighbors live on the other side of the street, on the other side of town or on the other side of the world.

Again, thank you all for giving me a chance to serve with you. I am thrilled that we are here for this day. Thank you all.

[The prepared statement of Senator Carper follows:]

Senator Capito. Thank you, Senator Carper. Thank you for the kind words, and I certainly look forward to our serving together at the helm of this committee.

Now, I am very honored to have both home State senators here from North Carolina, and I would like to recognize Senator Burr for an introduction of our nominee.

STATEMENT OF THE HONORABLE RICHARD BURR, A UNITED STATES SENATOR
FROM THE STATE OF NORTH CAROLINA

Senator Burr. Madam Chairman, thank you very much. Chairman soon-to-be, thank you. I didn't think we would make history today at this hearing, but I think this probably will be the shortest chairmanship in the history of the United States Senate.

[Laughter.]

Senator Burr. And Senator Tillis and I were talking, where you have the witnesses positioned in the room, this is sort of like looking at Russia from Alaska. I am sorry Senator Sullivan left. It is hard to see all that way.

I appreciate the opportunity to come before the committee today to introduce Secretary Michael Regan as you consider his nomination to be Administrator of the Environmental Protection Agency. It is always a pleasure to introduce someone from your own State, especially one with whom I have had the opportunity and the pleasure of working and who is extremely, extremely qualified for this position.

Secretary Regan is a proud North Carolinian, born and raised in Goldsboro, North Carolina, by his parents, Zeb and Mavis, along with his brother and sister. Both of his parents were public servants, with his mother working as a nurse for over 30 years, and his father served in Vietnam and continued to

serve in North Carolina in the National Guard until his retirement as a colonel. It is clear that his parents instilled not only the values of public service, but also a love affair with the outdoors, including hunting and fishing. That continues to this day. I could say a passion we both share.

While attending North Carolina A&T, Michael met his beautiful wife, Melvina. Melvina is likely the real star of the family, having graduated from North Carolina A&T along with a master's from Radford University. She currently works in the Research Triangle Park. She has managed all of that while also raising their son, Matthew.

Michael, after graduating from North Carolina A&T, where we share in common a very good friend in the chancellor, Harold Martin, with a degree in environmental science, Michael began an internship with the EPA at the Research Triangle Park campus. This was merely a start, because he stayed with the EPA for over nine years, working in various offices and gaining policy experience while also completing a master's in public administration from George Washington University.

Following his initial tenure with the EPA, he served as associated vice president for clean energy and southeastern regional director for the Environmental Defense Fund. With his stellar resume, Mr. Regan was tapped by Governor Cooper in 2017 to serve as the Secretary of the North Carolina Environment and

Quality. As the committee evaluates his nomination, I believe his tenure in North Carolina can tell many of you much about how he will approach our shared desire for clean air and water with the need to ensure we do not unnecessarily limit economic opportunities.

North Carolina is blessed by beautiful coastlines and mountains as well as some of the most fertile agricultural lands in this Country. As Secretary of the State's Department of Environmental Quality, Secretary Regan was able to find the right balance by reaching out to stakeholders and ensuring that the Department's relationship with rural communities, whose lifeblood is agriculture, was constructive and not adversarial. To underscore this, Secretary Regan's nomination is supported by over 20 of the largest agricultural organizations in the Country. These organizations and their State associations understand that they are not always going to agree with every decision handed down by the EPA. But they know and trust they will receive a fair hearing.

It is my belief that Secretary Regan will bring the same qualities, experiences, and values of environmental stewardship while balancing the needs of rural communities to his new role as Administrator. On top of that, let me say that. Michael is a good man. He is a good husband. He is a great father. I look forward to supporting his nomination on the Floor.

I thank the Chair.

[The prepared statement of Senator Burr follows:]

Senator Capito. Thank you, Senator Burr.

Senator Tillis, would you like to join in that rousing introduction?

STATEMENT OF THE HONORABLE THOM TILLIS, A UNITED STATES SENATOR
FROM THE STATE OF NORTH CAROLINA

Senator Tillis. Madam Chair, for the moment, and incoming Chair in a matter of moments, thank you for letting me be here with my friend and colleague, Senator Burr, to introduce Michael Regan.

I am not going to cover some of the ground that Senator Burr did so well, except to say that Secretary Regan is somebody that I have tracked. I have a history in North Carolina, I was speaker of the house down there. We took up some of the thorny issues of coal ash, and passed legislation back when I was speaker of the house. So I got to see some of that come to life in a Republican administration, and then continue to grow in a Democratic administration under Governor Cooper.

I will tell you that in the time after his nomination was put forth, I have spent a lot of time talking to people in North Carolina, people in the agriculture sector, people in the energy sector. And what they all said to a person is that Michael distinguished himself as somebody who listens and someone to try to take in the input from both sides and come up with a fair outcome. And that is why I believe that he does have the support of over 23 national leading organizations, not only in agriculture, but in the business community.

We have to understand that the election produced a

different leader down in the White House. We can't imagine as Republicans that we are necessarily going to have a President with the same priorities as ours, but what we can hope for are people in the Administration who have a track record of listening and trying to come up with a sustainable outcome, as Ranking Member Carper said, trying to produce something that has enduring value. I believe that Michael will go to the EPA, he will be fair, he will listen.

He will sometimes take on initiatives that I disagree with, most likely vote against. But I do believe that he will be somebody that we can rely on to be fair with the reality of the change and the transition.

So I want to thank him for being here today. I want to thank him for his years of service and thank him in advance for the tough job that he is about to take on.

I also want to welcome Melvina and Matthew. Matthew, if this hearing goes long, I am right across the hallway, so you can come visit with me. I'll bring you a goodie bag over here with some North Carolina treats while you are waiting here.

But I really hope that you all will listen to him today, ask him the tough questions that we should ask, the things that we as Republican members are concerned with. But at the end of the day, I think we have a great, well-qualified nominee before us. I encourage your support.

Thank you, Madam Chair.

[The prepared statement of Senator Tillis follows:]

Senator Capito. Thank you. I thank both of you, and thank you for reminding everybody that this is going to be the shortest chairmanship on record. I appreciate that.

[Laughter].

Senator Capito. I would like to introduce our nominee to the committee. If you would like to change places, we will wait a few minutes, Mr. Regan.

Thank you. I would like to, as I said, bring Michael Regan, nominated to be the Administrator of the Environmental Protection Agency, which he is ready to testify. I want to remind you that your full written statement will be made a part of the record. I look forward to hearing your testimony.

But before you begin, I am sure you would like to do this, and I look forward to this, would you like to introduce your family or anyone else that is with you today?

STATEMENT OF MICHAEL S. REGAN, NOMINATED TO BE ADMINISTRATOR OF
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Mr. Regan. Thank you, Madam Chairwoman. I think they have been introduced adequately, but I would like to say that I do have my beautiful wife, Melvina, with me today, and my son, Matthew. I am extremely grateful to have both of them.

Senator Capito. And I am sure you have a lot of family and friends who are tuning in right now, too. I am sure they extend their best wishes to you.

So if you want to go ahead, proceed with your testimony, we are all ears.

Mr. Regan. Thank you, Madam Chairwoman Capito and Ranking Member Carper, and members of this committee.

I am grateful for your time this afternoon and our shared commitment to protecting our environment, our communities and our economy. I have dedicated my career to public service, and I appreciate the opportunity to highlight my qualifications and my passion for environmental stewardship, public health and economic prosperity.

I want to thank Senator Burr and Senator Tillis for their kind words and very strong introduction. I want to thank President Biden for nominating me and trusting me to lead this important agency in this vital time during our Nation's history. Again, I want to especially thank my wonderful and beautiful

wife, Melvina, whom I am blessed to have as a partner in life, as we navigate life together, my son Matthew, who I am extremely proud of, and consider it a privilege to be his dad. Together, we prayed as a family before I accepted this nomination, and we are so proud to take on this assignment. I am grateful for their support.

For the last four years, I have proudly served as the Secretary of the North Carolina Department of Environmental Quality, working to provide all North Carolinians with cleaner air and cleaner water while nurturing our State's economy. I fell in love with the outdoors growing up in eastern North Carolina, hunting and fishing with my father and grandfather. Those beautiful waters and those lands are legacies that they were proud to share with me.

But they also taught me that protecting them was my responsibility as well. Like millions of Americans living in rural communities, preserving our natural resources isn't something just to balance with the economy. It is essential for economic growth, along with protecting public health and our way of life.

Careful stewardship of the environment is more than just passing down traditions to the next generation. It is about learning from the past and being prepared to combat the challenges that our future generations will face. Both of my

parents were dedicated public servants. My mother, a nurse for close to 30 years, the best nurse in Wayne County. My father served his Country in Vietnam, worked for the North Carolina Agricultural Extension Service for years, and ultimately retired as a colonel with the North Carolina National Guard.

So obviously, after graduating from North Carolina Agriculture and Technical State University with a degree in environmental science, I knew I wanted to find a way to serve. That led to my first summer internship at EPA. I spent nearly ten years at EPA under presidents of both parties. It is an honor of a lifetime to be invited back.

Throughout my career, I have learned, if you want to address complex challenges, you must be able to see them from all sides, and you must be willing to put yourself in other people's shoes. The best way to do that is by convening stakeholders where they live, where they work and where they serve, fostering an open dialogue rooted in the respect for science, a clear understanding of the law and a commitment to building consensus with pragmatic solutions.

I have also learned that we can't simply regulate our way out of every problem we face. This approach has proven to be effective in my tenure as Secretary of DEQ. We have tackled the adverse impacts of hog farms, cleaned up toxic PFAS pollution in our rivers, and reached the largest coal ash settlement in U.S.

history.

I will never forget looking into the eyes of Amy Brown, the mother of two boys, as she told me she had not let her sons play in the bathtub or in the pool in the back yard for years, because they were required to live on bottled water after the Dan River coal ash spill. That night, as I gave my son Matthew his bath, with fresh tap water, I vowed that this story would have a happier ending for Amy Brown and her two sons. And we did just that; by following the science, following the law, bringing industries together with the impacted communities, not as adversaries, but as stakeholders working together for real solutions.

In North Carolina, we are working beyond the old argument that we have to pit creating jobs against protecting the environment. We have demonstrated that you can do that from the North Carolina mountains to the Old North State's coast. President Biden has said, confronting climate change presents an unprecedented economic and jobs opportunity. In North Carolina, we have seized that opportunity, partnered with private sectors to provide opportunities and regulatory certainty, and harnessing our strength in manufacturing, innovation and research, which has resulted in the creation of tens of thousands of new jobs in North Carolina.

If confirmed, I will work with the entire Administration to

build and strengthen that partnership, to power America's economy with cleaner energy and create millions of good-paying middle class jobs. Our priorities for the environment are clear: we will restore the role of science and transparency at EPA. We will support the dedicated and talented career officials.

We will move with a sense of urgency on climate change, and we will stand up for environmental justice and equity. We will do that in a collaborative manner, in partnership with State and local governments, who know their own communities better than the Federal Government ever could.

We will work transparently and responsibly with industries eager to establish clear, consistent rules of engagement. And we will engage working Americans whose voices have been absent from these conversations about our environment for far too long.

Last but not least, we will work to do this in partnership with Congress, leveraging your expertise and concerns for your constituents as we build healthier communities through environmental stewardship and economic growth. We all have a stake in the health of our environment, the strength of our economy, the well-being of our communities, and the legacy that we will leave the next generation in the form of the Nation's natural resources. While those values may not unite us on every single policy question, I think it is a solid foundation for a

successful partnership.

I look forward to building on that foundation with you if confirmed, and I look forward to answering any questions that you might have for me today.

Thank you.

[The prepared statement of Mr. Regan follows:]

Senator Capito. Thank you, Secretary Regan. I appreciate that.

I have some little business items before we get to the questioning. The hearing will include two five-minute rounds of questions. I will start the second round after closing the first.

To be fair to the other members of the committee and the witness, I ask Senators to please limit your questions each round to the five minutes.

Throughout this hearing and with the questions for the record, our committee members will have an opportunity to learn more about you, Mr. Regan. I would ask that throughout this hearing, you please respond to the questions today, and for those that we will submit for the record.

So these are the questions that I have to ask, and we ask of all nominees on behalf of the committee. Do you agree, if confirmed, to appear before this committee or designated members of this committee, and other appropriate committees of the Congress, and provide information subject to appropriate and necessary security protection, with respect to your responsibilities?

Mr. Regan. I do.

Senator Capito. Do you agree to ensure the testimony, briefings, documents, electronic and other forms of information

are provided to this committee and its staff and other appropriate committees in a timely fashion?

Mr. Regan. Yes, I do.

Senator Capito. Do you know of any matters which you may or may not have disclosed that might place you in a conflict of interest if you are confirmed?

Mr. Regan. I do not.

Senator Capito. Thank you. Thank you very much.

With that, I will start with the five-minute questioning.

First of all, thank you for your opening statement. Your pledge of transparency is something that I think we are going to hear a lot about today, and probably in every Administration. This one certainly is no different.

So I am going to begin where you and I talked on the phone and where I alluded to in my opening statements. That is the fact of having a domestic climate czar in the White House who was a former Administrator of the EPA, who really doesn't have any accountability to Congress or to any of those of us for oversight. Apparently, her authority is very sweeping. And she stated that every single piece of the federal budget will reflect climate change policy. Her remark demonstrates there is no part of the government within research.

So have you met Gina McCarthy?

Mr. Regan. Yes, I have.

Senator Capito. You have. Have you talked about the two roles that you will be fulfilling are going to interplay and how that decision making is going to roll out?

Mr. Regan. Yes, we have.

Senator Capito. What was the substance of that?

Mr. Regan. I think the substance of it was recognizing that with the President's ambitious goals, that there was an all hands on deck approach, and that he would have staff in the White House that would have responsibilities and participating in climate policy, and that that task would also be before every single Cabinet agency.

So I think the crux of that conversation was recognizing that Congress has bestowed certain powers upon me as Administrator, as well as certain accountabilities. So I look forward to working with the President's staff, but I also look forward to working with every other Cabinet agency as we develop a comprehensive pathway to reach the President's ambitious climate goals.

Senator Capito. Did you get a sense in the conversation with her that you would be reporting directly to her or to the President, or a little bit of both?

Mr. Regan. I think it is pretty clear that this position reports to the President. This position will be working with the staff in the White House. And of course, this position will

be working with all of the Cabinet agencies required for this whole of government approach.

Senator Capito. What about if there is a disagreement between the climate czar and the Administrator of the EPA? I would hope that the transparency pledge would follow through on that, if you reach decisions, who is making that decision and how it was determined. How would you see disagreements being resolved when it is not inter-Cabinets, but with a czar and a member of the President's Cabinet?

Mr. Regan. With every complex issue, we anticipate healthy debates. I believe that the realities are we have different positions that we serve in the Administration.

So I have no reason to believe that the positions of the EPA and the positions of the White House staff will get equal hearings. Hopefully, we will have robust discussions in a manner that will yield the best results for the President to achieve this ambitious climate goal.

Senator Capito. Well, yes, we certainly all want best results. That is in all of our best interests, as you emphasized in your opening statement. I would like to ask you, one of the objections that I have had over the past is that when really difficult issues come in front of the EPA that could result, as we saw during the Obama Administration, drastic job losses and a lot of economic downturn in a particular area, that

you would, and you and your agency would come, and come to where the biggest impacts are going to be, to the people that -- this was not done in the past. As I said, it still stings. It is not right.

I know you have a history of this in North Carolina. If you could pledge to me that you will continue that as an Administrator, that would be good news for us.

Mr. Regan. Absolutely. In North Carolina, I realized very quickly that we could not solve the State's problems by sitting behind a desk in Raleigh. I visited 90 out of our 100 counties in the State of North Carolina. Would have hit all 100 but for COVID. I think I have pledged to you, many of you, that I have spoken with, that I do plan to respond to the invitation to visit, to spend time in your States, with your communities, so that we can have the best understanding of how the decisions we make will impact you all on the ground.

Senator Capito. Is it your understanding that the President intends to come back with a new version of the Clean Power Plan?

Mr. Regan. It is my understanding that we have to take a look at what was the plans for the Clean Power Plan and what were the plans for the ACE rule. The reality is that it presents a significant opportunity for the Environmental Protection Agency to take a clean slate and look at how do we

best move forward. There are lots and lots of, I would say, examples of success and failure that we have seen in the past.

So I look forward to having an opportunity to do a few things. Number one, to not look backwards, but to look forward. Number two, to convene all parties relevant to this discussion and think about how we harness the power and the statutory authority of the Clean Air Act in concert with major investments that we should see government-wide, and the input and the statements from those who will be impacted by any particular actions we take, whether that be a rulemaking or whether that be voluntary.

Senator Capito. Thank you. That ends my five minutes. I would say, I would be interested in maybe a follow-up question on whether you think that means that we would go beyond the fence or not. That is a more difficult question.

Senator Carper.

Senator Carper. Madam Chair, if it is okay with you, I am going to yield to other colleagues. I am not in a hurry. Thanks.

Senator Capito. Senator Inhofe.

Senator Inhofe. Well, first of all, thank you very much. I have had the honor to visit with Michael Regan and have heard all kinds of good things about him. I think we are going to get along real well. I told him during our introductory discussion

how well I got along with particularly Lisa Jackson, when she was in the Obama Administration. In fact, she liked me so well, and I liked her so well, that we spent a lot of time together. She even still today has my Christmas card picture of my kids on her wall. So we want to have that kind of relationship with you, and I think that is going to happen.

I have four things I just want to mention. There won't be time to cover them, so I won't be asking for a lot in specific responses. One is on the Green New Deal. I hear all kinds of extreme interpretations as to what does that mean, things like banning fossil fuels, banning air travel, controlling how much beef we can eat and all these things. And the cost would be about \$93 trillion, that I believe is accurate.

But the other thing that affects me parochially is it is war on fossil fuels. That was behind us, I thought for a while. It looks like it may be coming back. So what I would like to ask of you, Michael, is that you sit down with me and other members of this committee and talk over the different aspects of what is alleged to be the Green New Deal and what it really is going to mean in terms of putting it together.

I agree with Senator Tillis that you are someone who listens and you want to be fair. I think that would be a fair thing to do. What do you think?

Mr. Regan. I can pledge to you that I will move forward

the way I have in North Carolina, which is using the power to convene, to bring everyone to the table.

I would like to say that President Biden has his own ambitious climate plan, one that we believe harnesses the full power of government, but not only looks at regulations that will come from EPA, but investment strategies that come from the broader government. So I look forward to engaging with you and your colleagues on how we execute on the President's vision for an ambitious climate goal.

Senator Inhofe. That is very fair. Now, the second of the four things I wanted to bring up have to do with the WOTUS bill. Back during the Obama Administration, they had the WOTUS bill, and it was essentially, for those who might be new on this committee, and not familiar with what the meant, it is the water regulation that would be transferred from the States to the Federal Government, it is something that the American Farm Bureau and all the agricultural organizations had done as its major concern at that time.

Then along came President Trump and changed that, added a new rule that I thought was working quite well. My question on that one would be, can we have a chance to talk about that? Because that issue is going to be the one, and politically, I have to say this too, it is one that everyone ought to be concerned about, because that is the number one issue in

accordance with most.

The third thing I want to bring up is on pipelines. I noticed that you approved a permit for the Atlantic Coast Pipeline. You denied a permit for the Mountain Valley Pipeline. Maybe for the record, in writing, you can come back and distinguish between the two of them and what your feelings are about pipelines.

And lastly, I wanted to mention the Small Refinery Exemptions. Now, in my State of Oklahoma, the Clean Air Act exempts small refineries faced with "disproportionate economic hardship from the costly renewable fuel standards." The action I would like to ask for you would be, the United States Supreme Court has already taken up the case of HollyFrontier v. the EPA, which would seem logical to me that before establishing any real policies concerning small refinery exemptions, it might be a good idea to get the response from the United States Supreme Court on that case. What do you think?

Mr. Regan. I think that is one way to go. The one thing I know I have to do is consult with our general counsel, understand where we are in the legal process. And also understand, what options do we have to continue conversations. I think that the courts will give us some ruling.

But I also don't want to lose the opportunity to take a look at what we have learned with the Obama era Waters of the

U.S. and the Trump era Waters of the U.S. As a State secretary, I have been on the receiving end of both. I have had conversations with farmers about both. And I think that we do have a clear opportunity to look at how we protect our water quality while not overburdening our small farmers.

So while we are looking at all of our opportunities through the legal system, I don't want litigation to stifle what we can come up with as stakeholders having a conversation. So I look forward to working with you on that.

Senator Inhofe. I look forward to it. Thank you.

Mr. Regan. Thank you.

Senator Capito. Senator Carper.

Senator Carper. I will yield.

Senator Capito. All right, Senator Cramer.

Senator Cramer. Thank you, Madam Chair. Thank you, Mr. Regan, for being willing to run the gauntlet and step up in this way. Congratulations to you, congratulations to your family. It is great that you can be here. It means a lot to him and it means a lot to us as well. So thank you for that.

I appreciate very much the time you took with me on the phone. I appreciate very much your references to stakeholders often. That is a good sign. When we talked a few weeks ago, as you recall, I was a fellow regulator, I spent nearly ten years as an environmental regulator before coming to Congress in an

elected position.

In the nomination acceptance speech, while today you have referenced stakeholders you also referenced the importance of States. Of course, being a former State regulator, you would do that. You reiterated your desire to support States, and not dictate to them. And of course, States are some of the most important stakeholders in this new job.

I welcome that, because I spend a lot of time talking about cooperative federalism around here, the lack of it over the decades and centuries, in many cases. I am just wondering, to this point, and I know it is early in the Administration, but I haven't seen a lot of cooperation coming from the White House. I have seen a lot of executive orders. We have seen a lot of dictates. In fact, things like the lease prohibitions on deposits on federal lands, in the case of the XL pipeline, those aren't directly under EPA jurisdiction.

But none of the States affected were ever consulted before the President signed those executive orders. I want to hear from you how you will be different than what we are seeing so far.

Mr. Regan. Thank you for that question, Senator. I too enjoyed the conversations that you and I had about the balance of State and Federal Government interaction.

I see the executive orders as setting goals, and setting

vision. But in those executive orders, they leave plenty of room for how these things will be implemented. The reality is that these Cabinet agencies will be implementing and executing these visions.

So we have a ton of time, in my opinion, to aim for these goals, but massage the processes by which we will achieve those goals. I want to do what I have done in North Carolina, and done, I believe, fairly well, which is convene the stakeholders that will be impacted by these decisions, look at the rulemaking processes, look at the voluntary actions, harness the power of our private sector who are creating these jobs, and following the trends of the market to think through, what are the proper actions we can take collectively to meet and possibly exceed the goals of these executive orders.

So I think the substance and the crux of how we execute on these executive orders relies or resides in these Cabinet agencies. I look forward to having conversations with you, your staff and others on how we get there.

Senator Cramer. I appreciate that. I think we are going to have a lot of good discussions, quite honestly. I am grateful for your sentiments.

I was thinking specifically in a later round or maybe even over coffee sometime we will talk more about things like the methane rule, for example, that tends to, the one size fits all

methane rule tends to disqualify States that already have methane rules. It is an important, I think, area of some exploration. It is a specific case study.

There are a lot of those, we have heard already about Waters of the U.S., Clean Power Plan. And as you know from your previous experience at EPA, both these rules under the Obama Administration faced serious legal hurdles. In North Dakota, I had one of the most successful WOTUS challenges with 11 other States in litigation, and joined West Virginia in its Clean Power Plan case.

Based on your reviews of those cases, obviously you know them well, do you think that the rules had some shortcomings, and if so, what were they?

Mr. Regan. One of the things I have always pledged is I would follow the science and follow the law. The courts have obviously had their opinions about these laws.

I will say, there are two ways I look at this. As a former State regulatory, the lack of certainty and the litigation has been very painful for us in trying to get the business of our States done. So that is the downside. The upside is, as Administrator, I have the ability to look back at what we have learned, and what worked and what didn't. We can apply those lessons learned to how we are going to move forward.

So I am grateful that we have sort of worked out some of

those kinks, and we understand where the limits of the law are. It is my desire to follow the law, not exceed my statutory authority. I believe with the proper stakeholder engagement, I think that we can forge a path forward. I look forward to that.

Senator Cramer. I look forward to continuing the discussion in round two. Thank you.

Senator Capito. Thank you, Senator Cramer.

Remotely, Senator Cardin.

Senator Cardin. Thank you, Madam Chair.

Mr. Regan, I enjoyed our conversation that we had. I want to follow up on my favorite subject, which is the Chesapeake Bay. As I had a chance to talk to you about the Chesapeake Bay, it is the largest estuary in our hemisphere. It has been declared a national treasure by the last several administrations. And it is challenged in regard to environmental need.

Under the Obama Administration, we had a special assistant for the Chesapeake Bay that was referred to as the Chesapeake Bay czar, but acted as a point person to deal with administering the federal program under the EPA for the Chesapeake Bay, a program which has been funded by Congress and increased the authorization and funding in the last couple of Congresses. So we have been supporting this.

But having a special assistant that can coordinate not just

the activities within the Environmental Protection Agency, but the other federal agencies that play such a critical role in our plan to restore the quality of the Chesapeake Bay, the Department of Agriculture, the Army Corps of Engineers, and I've talked about some of the other programs that are involved.

So I would like to get your cooperation on how you will administer the Chesapeake Bay program, considering reinstating the special assistant, so that we can have a focal point in EPA working with the other agencies to advance the Chesapeake Bay program, a program that is supported by six States and many stakeholders, and which the Federal Government really operates as an independent referee in regard to our efforts to deal with the Chesapeake Bay. Can we work together on this, and will you consider appointing a special assistant?

Mr. Regan. I thank you for that question, Senator Cardin. During my first stint at EPA, when I lived in this area for about ten years, I learned first-hand that the Chesapeake Bay is indeed a national treasure. So you do have my commitment that we will look for the resources, all the resources that we can bring to bear, to protect the Chesapeake Bay.

Thank you for that. I hope that you will appoint a special assistant, because I think that is critically important in coordinating this. I will just give you a couple examples. We have recently felt the need to complete an environmental

restoration project that deals with disposal of dredged material at Poplar Island, which has been a win-win situation. It has received the dredged material as well as restoring a previously livable island, it has now been restored as an environmental project. We need to move forward with the second of these plans, Mid Bay, the Army Corps has given a green light for that and we are going to be moving ahead with it.

My point is this. That part of the Chesapeake Bay program that needs to be coordinated with the Environmental Protection Agency. We have oyster restoration, as I am sure you are aware. The oysters are critically important to filtering the impurities out of the Bay. The historic crop on the Bay is a fraction of what it was 100 year ago. So we have had a very active oyster restoration program in both Virginia and Maryland. Funding comes from various agencies. But it is important that the EPA act and help us in making sure all the pieces come together, so that we can meet our commitment under the 2025 deadline.

So are you prepared to advocate on behalf of the Environmental Protection Agency with other agencies in order so we can achieve our goals under the Chesapeake Bay program?

Mr. Regan. Thank you, Senator. I am. I am committed to advocating so that we meet those goals. I am committed to looking at how we have adequate resources to achieve those goals.

I can tell you what I am actually doing now. I have been successful in prioritizing an agricultural czar or advisor, an environmental justice advisor. And I am now looking into our resources for the potential for someone to coordinate on the Chesapeake Bay. The previous Administration and budget process has not been kind to EPA. So we are being creative as to where we can get the resources to do that.

What I can assure you is, we have adequate resources to execute on our obligation to protect the Chesapeake Bay, and we are looking for additional resources to hire that coordinator to ensure that we hit all of our targets on time.

Senator Cardin. I think I might want to flip on ahead, that is what I wanted to hear.

I will just mention one last thing in closing, that is that with plans, that we do need you to be aggressive in making sure all States carry out their commitments. We depend upon each State carrying its own load. We have had some challenges with some of our States. We heard that you will be aggressive in working with us. It is a ground-up program. But we do need the Federal Government to come in where needed to make sure that we all do what we can with best science.

So thank you very much, and thank you for your willingness to serve in this critically important position.

Mr. Regan. Thank you, sir.

Senator Capito. Thank you, Senator.

I am going to go to Senate Whitehouse now, and then we will get back to one Republican, one Democrat. I kind of got us a little bit out of order there. Senator Whitehouse, are you on?

Senator Whitehouse. Yes, I am.

Senator Capito. Thanks.

Senator Whitehouse. Thank you, Chairman Capito. I appreciate it. Secretary Regan, welcome to the EPW committee, not for your last time, I hope.

A couple of things. First of all, please be advised that the Chesapeake Bay is not the only bay on the east coast. There is a little State called Delaware that we might have some interest in that has a Delaware Bay. Those of us from further north are very excited about the clean, clear waters of sparkling Narragansett Bay. So I appreciate your interest in the Chesapeake, but let's make sure we think of all the bays.

You mentioned earlier on in the hearing that it would be your policy, don't look backward. I just want to warn you about that. You would be coming into an agency that in my view was more or less captured by the fossil fuel industry, agency capture, administrative capture, is something people have talked about for years. I think this is a particularly flagrant example that we witnessed of agency capture.

I think it left a trail of damage to the institution. It

left a trail of conflicts of interest, particularly on the scientific advisory groups. It left a trail of rulemaking thrown out for pretty patent violations of administrative law. It left a trail of FOIA failures and QFRs unanswered.

I suspect you will find a good deal more when you get in, as people come forward and are prepared to describe things that took place in the previous Administration and maybe even some who couldn't bear it and left might very well come back with some stories.

I think if you are the captain of a ship that has sustained some serious damage, you can't just look forward. You have to look at the ship. And you have to make sure that you have done a damage control assessment and know where the damage is and have a plan to repair that. Otherwise, you are never going to perform at the levels that you should. And your operating folks are not going to be able to focus on moving forward, because they will be all tangled in trying to undo the messes that you haven't paid attention to.

So I am interested, if you could explain a little bit more, what you meant by don't look backward.

Mr. Regan. Thank you for that question, Senator. I think that is sort of a metaphor for visioning. I think that we have to be optimistic and look forward in terms of all that we believe we can accomplish, and that the future is bright.

Obviously you raise a really good point, a point that I have practical experience in. When I inherited the Department of Environmental Quality in 2017, morale was low, decisions had been made that we didn't believe were transparent and didn't bring forth the proper science and data.

So we did have to do a damage assessment. We had to take a look at what had been done, what had not been done. And we quickly had to rectify those situations and begin to move forward.

We have a short amount of time. So we are going to have to walk and chew gum at the same time. My goal is to do an assessment to determine how can we best move forward, learn from the past, but stay leaning forward as we solve some of these complex issues. There are a lot of staff at EPA right now doing a reevaluation of a ton of rules and activities that may or may not have been done in a transparent manner or leveraged science the way we have liked.

So we are going to correct that. We are going to correct that, then we are going to begin to carry this Country forward.

Senator Whitehouse. Well, I am going to ask you two things in that context. One is, I have written quite a lot about the problems at EPA. I will find, with my team, one of the comments or briefs that I have written, and I will just send one to you so that you have a sense of where I have seen this agency go. I

will ask that you read it before our vote, just so that I can know you have seen how I feel about this.

The second thing is that I will be coming at you, as will other Senators, with questions. We would really like to see the questions answered. Where we have been stonewalled on questions in the prior Administration, we would like that backlog of questions cleared. On FOIAs that have been stonewalled, we would like that backlog cleared as well. I think if you are talking about transparency, you are going to have to make a particular effort to tear down the stone wall that surrounded the fossil fuel fortress at EPA in the last four years.

I hope very much you will agree to read the thing that I send you and be as cooperative as the law permits in answering our questions, particularly our backed-up questions.

Mr. Regan. Absolutely, Senator. Thank you for that question. You have my commitment that, number one, myself and our staff will read all documents sent to us by this body. Number two, it is an obligation of all of us as public servants to be as transparent as possible to this body and to the public as we look at information and develop decisions for moving forward.

So you have my commitment to read those materials. You have my commitment for transparency. And you have my commitment as a very strong partner in how we move forward.

Senator Whitehouse. Last, the Clean Power Plan proposal by the Obama EPA has been thrown out by the court. You, as you have said, now have a clean slate to go forward. I am hoping that as you look at the problem of large scale emitters, whether they are industrial emitters or utility emitters, you will take a look at carbon capture technology, which has moved enormously forward in the years since the original Obama Clean Power Plan. I would note for you that Chair Capito and I, who have rather different views about climate issues and fossil fuel emissions and so forth, have worked together along with a lot of other colleagues in a very bipartisan support for carbon capture technologies, including an expansion of 45Q in the last bill that we passed in bipartisan fashion in the last Congress.

So I am hoping that you will take a hard look and make sure that people on your staff have the technical support necessary to understanding whether carbon capture is a best available control technology for carbon emissions, which are a pollutant under the Clean Air Act. As long as you have people looking at that and giving it a fair and honest look, that is all I ask right now.

Mr. Regan. Thank you for that question, Senator. You have my commitment to look and determine the commercial viability of carbon capture sequestration. I can tell you that I have already had conversations with Jennifer Granholm at DOE and

others. There are lots of resources that we can pour, in terms of research and development, to make sure that carbon capture sequestration and storage is on the table. And one of the benefits we have of starting fresh is over the past couple of years, we have seen enormous strides in technological advancements. The people at EPA are ready to take advantage of what we have learned from the past rules and what we have gained in terms of technological advancements.

So we are excited about charting this new course.

Senator Whitehouse. Thank you, Senator Capito. I am probably out of time.

Senator Capito. You are probably out of time, by a lot.

[Laughter.]

Senator Capito. Thanks. Senator Braun.

Senator Braun. Thank you, Madam Chair.

I share that same enthusiasm as Senator Whitehouse, and have a tendency maybe to go a little over time myself now and then. But I will try to keep it within the five minutes.

I enjoyed our robust conversation we had last week. It was a lot of common ground in terms of especially being open minded in terms of how we view such an important issue as the environment and climate in general.

I am the founder of the Senate Climate Caucus on the Republican side, and we now have seven members on each side of

the aisle weighing in. Over the last year, I think what has amazed me most, I think I shared it with you when we spoke last week, was the broad array of interests in terms of weighing in. I was surprised in the business community that it goes beyond just agriculture, transportation, energy production. Almost everyone, I think, wants to be part of it. I think one of the defining points of view would be how do we do it and how do we pay for it. That subject hardly ever comes up on anything we talk about here in a way that is really meaningful, that addresses it up front.

Where do you stand on trying to take innovation and technology, that would have a recent reference to what we have done with vaccinations addressing the COVID challenge? Look what was accomplished there by really galvanizing a kind of innovation maybe already in motion, and to do so quickly, accomplish a result that is going to probably be what puts that in the rearview mirror. Tell me how you think we do that as opposed to maybe the approach up to this point that has been more costly, which has been a highly regulatory approach.

Mr. Regan. Thank you for that question. In North Carolina, I will say what we did was, we took a look at regulations. Number one, we wanted the regulations to be flexible enough, or the interpretation of the regulation to be flexible enough to allow for innovation. We can't achieve our

goals without a very strong public-private partnership. We know that our private partnerships are really on the cusp and drive the markets.

So my strategy has always been engage our private sector counterparts, take a look at the intent of the regulation and the law, ensure that there aren't too many administrative burdens, and look at what can be gained, if we can find efficiencies in the execution and implementation of those regulations.

One of the things that pained me the most in North Carolina, and I think I am going to have the same problem at EPA, is the stripping of the budgets don't prevent an agency from writing a regulation, it prevents an agency from providing technical expertise and experience to our stakeholders who we want to see drive innovation while achieving those environmental goals.

So my pledge is to be as collaborative as possible while developing any regulations that might be needed, looking out for those administrative burdens, and having our agency as partners as we execute on the implementation of those regulations. But I do believe that regulation is not the sole answer.

So I will be partnering with my counterparts at the Department of Energy, Department of Agriculture, Department of Defense, all of which I have already talked to in terms of how

do we solve some of these complex problems that we are facing.

Senator Braun. Second question, I think we discussed it a little bit last week as well, would be the global responsibility in terms of tackling the issue of climate change and how we turn it around, how we pay for it. What is your feeling in terms of that approach of thinking that we need to do even more on our end when we are of the larger economies, the one that has emissions headed in the right direction? How will that thought of getting the rest of the world involved, especially doing more than saying they are going to do something, making the way that you can weigh in tell places like China, Russia, India that yes, you are putting these goals and statements out there, but your actions show otherwise?

Whenever that occurs, that means we are disproportionately paying for things again, when that is probably the weakest part, what we bring to the equation now is our federal balance sheet and our ability to do more until we get that in order. Please comment on that.

Mr. Regan. Thank you, Senator. It is an excellent question. That is a question that requires partnership. That is not going to be driven solely by regulation.

I think that what we are trying to do, the President's aggressive climate plan looks at capturing the market so that we are globally competitive. In North Carolina, as Secretary,

Senator Tillis mentioned when he was speaker of the house he was a really strong proponent of a balanced approach for solar energy. North Carolina is now second in solar installation in the Country.

What we find is most of the parts that we want to install come from China. We are finding that if we don't capture the market, we are going to fall behind. I believe that is the same for solar, it is for cars, there is a lot that we can capture in terms of manufacturing and the like to remain globally competitive.

So I believe you are seeing, with the President's approach, is not the Country skating to where the puck is, I will borrow from Wayne Gretsky, we are trying to skate to where we believe that puck is going to be. Then we can design regulations that are complementary to the types of investments in research and development that we need to harness the power of the private sector and create new jobs. I believe that this Country will be a global leader and other countries will follow.

Senator Capito. Thank you, Senator.

Senator Merkley.

Senator Merkley. Thank you, Mr. Regan. I wanted to start by asking if you were familiar with the Presidential Plastics In Action plan that some 500 environmental groups have put together.

Mr. Regan. Yes, vaguely.

Senator Merkley. Okay. Would you consider a commitment to take a very close look at it?

Mr. Regan. Absolutely. We will take a close look at it. We will evaluate EPA's role and we will partner with you on advancing that.

Senator Merkley. Thank you. There is a whole lot that can be done. We have a challenge from plastics in a couple of ways. One is that the production of plastics produces a tremendous amount of greenhouse gases. And second is plastic, when it is through with its single life, is rarely recycled. We have that slogan about recycling, but in fact, a more accurate slogan would be it is either burned or it is buried or it is borne to sea where it causes all sorts of environmental problems, in the rivers, and our oceans.

Do you agree that this is a significant challenge that we need to work and take on?

Mr. Regan. I do agree that it is a significant challenge when we look at the role of plastics, especially the impacts that we have seen with our marine life and our coastal communities.

Senator Merkley. We see it very much in Oregon's coastal community. I know you see it from the other side of the Country. It creates all sorts of issues.

The EPA has an environmentally preferable purchasing program where they have the power to set an example and help introduce potentially more sustainable products in place of single use plastics. Will you take a look at that program and the possibility of EPA using that as an opportunity to show what can be done to replace single use plastics with more sustainable products?

Mr. Regan. Absolutely, Senator. Where there is a program at EPA and where we have an opportunity to be a global leader, we will do an evaluation and we will put our shoulder to that wheel.

Senator Merkley. I want to turn to the topic of asbestos. Most nations in the world have banned asbestos for all the reasons that we are familiar with. In 2016, we took another stab at this by passing in a bipartisan fashion the Lautenberg Toxic Substances Control Act, or TSCA, the Lautenberg version of that. Not much action has happened since 2016. In December, so just over a month ago, there was finally a part one risk evaluation done at EPA. And it did find that there were unreasonable risks of cancer.

But the Science Advisory Committee that looked at the work of EPA said, wow, you didn't consider all the asbestos fibers, you didn't consider all the different asbestos diseases, you didn't look at all the different routes and pathways of

exposure. So you really did a very minimal job at capturing the full impact.

Would you consider having the EPA redo that part one evaluation to try to get this right and use the best science to really see what the risk is to human health?

Mr. Regan. Thank you for that question, Senator. I absolutely will work with my staff to take a look at that evaluation, determine where those data and science gaps are, and then govern ourselves accordingly moving forward.

You have my pledge that as we take a look at all of these, number one, the processes that we undertake will be much more transparent. Number two, we will use the latest science and the latest data. Number three, our results should be supported by the science and by the law.

So you have my commitment to do that.

Senator Merkley. Thank you.

One of the things that we notice at so often, different facilities are located near low-income communities, communities of color and it has a disproportionate impact, our manufacturing system, on the health of low-income communities or communities of color. There are a lot of issues of environmental justice. Do you feel that you are pretty well read into that set of challenges and have some ideas on how to deal with it?

Mr. Regan. I will say that I am very enthusiastic about

the President's commitment to environmental justice and equity. It is something that I have spent a lot of my career on. My first stint at EPA was focused on environmental justice and equity issues. I established the first environmental justice and equity advisory board in the State of North Carolina, bridging environmentalism and civil rights to find solutions for our fence line of disproportionately impacted communities.

There is some work that we have to do at EPA to take a look at restructuring and making sure that we have adequate resources to address environmental justice. So not only do I look forward to structuring EPA so that we can adequately respond, but I look forward to partnering with you and Congress so that we can be sure that where we have gaps in our laws and regulations, that we can rectify that so that we are ensuring all Americans have access to clean air, clean water, and clean environment to live in.

Senator Merkley. I am running out of time. Madam Chairman, I will just close by saying that the biggest challenge testing our civilization is whether we can tackle climate chaos. I know you are well familiar with the issue, and I look forward to working with you on that endeavor.

Mr. Regan. Thank you, Senator.

Senator Capito. Thank you.

Senator Barrasso.

Senator Barrasso. Thank you, Madam Chair.

Mr. Regan, congratulations on the nomination. Despite calls for unity during his inauguration speech, President Biden took immediate, damaging and divisive action. He canceled the Keystone XO Pipeline, and with it thousands of good jobs, some union jobs, some non-union jobs. But thousands of good jobs. He has threatened tens of thousands of jobs in my home State of Wyoming and across the Country when he halted oil, gas, and coal leasing on federal lands. He ceded American environmental and economic independence to the European Union and China when he rejoined the Paris Climate Accord. And he opened the door to revisiting some of the most economically devastating regulations from the Obama era, like Waters of the United States, the disastrous Clean Power Plan, and many more.

It does seem that with every campaign promise that he delivers, President Biden is also delivering pink slips to hardworking men and women in Wyoming and across the Country. Despite the dizzying pace of the President's job-killing executive actions, many on the other side believe that he should do more, and do it more quickly. Senator Schumer said that the other day on the Floor. Some believe the President should immediately declare a climate emergency. Such a declaration, of course, would silence Congress, would silence States and the American people during one of the most consequential discussions

and decisions of our time.

I think it sidelines workers, industry, families who are already struggling to make ends meet during these difficult times.

So the question for you is, do you believe the President should circumvent Congress and the will of the American people by declaring a climate emergency?

Mr. Regan. I do believe that we are facing a dire situation with climate change and impacts. But I don't think that is to negate the fact that we all understand the anxiety and the fear as we make this transition that folks in your States have, and States like West Virginia and North Carolina and other States.

What I believe is that the President has an aggressive agenda that looks at the whole of government. What I know is we have been instructed that we are not to leave any community behind. In order for us to be successful, every State and every community has to see itself in our vision.

I would be careful and never say, we are looking at clean jobs. We are looking at all jobs. Many of these jobs should transition as we look forward to protecting ourselves from climate change and the climate change impacts.

So I look forward to working with you on how we ensure that we don't leave any communities behind, and that as we invest in

our infrastructure, whether that is our grid, our water infrastructure, whether we invest in pipelines that are leaking, transportation, bridges, that we do that in a way where we are consulting your constituents, so that we can adequately address this climate change while growing as many jobs as possible.

Senator Barrasso. Well, I appreciate that answer, because former Senator John Kerry has said that people who are working in the industries in Wyoming, they need to make better choices. It is interesting that a Washington Post fact-checker also referred to his comments as being misleading and providing false hope. The Secretary of Energy nominee, she talked about jobs being sacrificed. So I appreciate your comments on the jobs and the focus there.

We talked about small refineries. Unlike large oil refineries, the small refineries don't have the economies of scale to comply with our Nation's biofuel mandate, the Renewable Fuels Standard. That is why Congress allows small refineries to petition the EPA for what is known as hardship relief. This has been going on, and this is in law.

Before deciding whether to grant relief, the Administrator of the EPA, by law, is required to consult with the Secretary of Energy. Now, under the last two Administrations, federal courts have rebuked EPA and the Department of Energy both for failing to account for all of the challenges that small refineries face

under the RFS. So if confirmed, will you ensure that the EPA fully accounts for the challenges that small refineries face when evaluating these hardship relief petitions?

Mr. Regan. Thank you for the question, Senator.

If I am confirmed, I commit that we will fully follow the law. And I commit that we will fully be transparent. I am not certain that either side understands how these decisions were arrived at. So I think it is very important that we have transparency, that we use sound science, and follow the law in a deliberate process by which we communicate with you all so that you understand the decisions that we make.

Senator Barrasso. Madam Chairman, I have some additional questions. But with your permission, I will submit those in writing.

Senator Capito. Sounds good. Thank you, Senator.

Senator Gillibrand.

Senator Gillibrand. Thank you so much, Madam Chairwoman, for this hearing.

Secretary Regan, thank you for testifying today and for your willingness to serve as our EPA Administrator. The EPA does a lot of work to restore its mission to protect human health and the environment. I know you will have many priorities on your plate once you are confirmed.

One area that I hope to prioritize is the PFAS chemicals.

I am grateful that President Biden included PFAS in his Build Back Better plan, and his Administration has an opportunity to make real progress in reducing people's exposure to this very toxic chemical.

As we discussed when we spoke a few weeks ago, I have been working on bipartisan legislation with Senator Capito that would require EPA to set standards under the Safe Drinking Water Act for PFAS. Just days before the end of the previous Administration, the EPA under Administrator Wheeler issued a regulatory determination to begin the process for setting drinking water standards for PFAS. However, in my view, the previous Administration did not with the sense of urgency that we need on this issue.

So my first question is this. Will you make PFAS an agency-wide priority at the EPA, so that more time is not wasted while families continue to be exposed and harmed by these very toxic chemicals?

Mr. Regan. Thank you for that question, Senator Gillibrand. You and I and Senator Capito know all too well the devastating impacts to our States by the lack of action on behalf of the EPA. PFAS, PFOA, perfluorinated compounds, will be a top priority for this Administration. We will pursue discharge limits. We will pursue water quality values. We will pursue all avenues that we can while we are developing these

rulemaking processes, to give the proper signals to States, so that States can take the appropriate actions, like we have had to take in North Carolina.

Senator Gillibrand. Will that include setting a drinking water standard for PFAS?

Mr. Regan. Thank you for the question, Senator. What I plan to do is sit down and spend some time with the staff at EPA, with our counsel, to understand the multiple avenues I believe we have at our fingertips to address PFAS.

Senator Gillibrand. Thank you. You are one of the first State environmental leaders to regulate industrial discharges of PFAS. I know it is an important issue. It has been estimated that there could be 2,500 manufacturing facilities discharging PFAS into the air and water across the Country. I have authored legislation in the Senate to regulate PFAS under the Clean Water Act which would require industrial discharges to be subject to permitting and pre-treatment standards.

Given your experience at the State level, what is your vision on how EPA should approach industrial PFAS solutions in order to prevent more PFAS from entering the environment in the first place?

Mr. Regan. Thank you for that question. I think there is a lot of wisdom in the vision and the direction that you are headed in order to have a full accounting of how these forever

chemicals are entering into our water, as well as our air. So I think we need to take a look at the discharge of PFAS from a water quality standpoint. I think we need to take a very strong look at the emissions that are coming from the combustion and incineration of products that yield PFAS into our atmosphere.

I can commit to you that on day one, that this is and will be a priority for this Administration to set limits on how much of this chemical compound is entering into our air and our water.

Senator Gillibrand. Thank you. One more question. Another area that we have previously discussed which is very important to my State is the continuing of EPA's geographic programs, in particular, the Great Lakes Restoration Initiative and the Long Island Sound Study. Both of these programs have been essential to improving water quality, including harmful pollution. We have had bipartisan success over the past several years in sustaining and growing these programs. I hope that under the Biden Administration, these programs will have the full support of the EPA and the Administration as a whole.

Will you support robust funding to continue these important, effective programs?

Mr. Regan. Thank you for the question. We will pursue the adequate funding, robust funding, to support these regional and State programs. Again, it is my belief that the Federal

Government should provide support to our regions and our States who know their constituents much better than the Federal Government ever could.

Senator Gillibrand. Thank you, and thank you, Madam Chairwoman.

Senator Capito. Thank you. Senator Sullivan.

Senator Sullivan. Thank you, Madam Chair. Mr. Regan, congratulations on your nomination.

I want to follow on where Senator Barrasso was going. I have been very concerned about the initial executive orders coming out of the White House. As a matter of fact, I led a letter with 25 Senators, so over one quarter of the U.S. Senate, to the President asking for a meeting on his plans particularly as they related to energy-related jobs. I am really concerned when you see John Kerry, Gina McCarthy, who are at the White House already setting policy. I know that the Chair has expressed concerns about who is going to be in charge. I think it should be you, since you are going to be Senate-confirmed, if you are confirmed, not two unconfirmed officials who are clearly taking the reins.

But when John Kerry talked about, well, President Biden wants to make sure that folks have better choices, like solar panels. I talked to my leadership in Alaska, union leaders. A, they find that attitude very condescending, cavalier, we are

going to kill a bunch of good oil and gas jobs so we can tell you what is better.

Can you talk to my constituents about how you believe, or what is your thought on the policies that right now appear to be killing jobs, good jobs, during a recession, with nothing to replace them? There is no solar jobs, as John Kerry says, in my State, when the risks of hundreds if not thousands of jobs are going to be going away in the oil and gas sector. I would like your views on this.

Mr. Regan. Thank you for the question, Senator. It is my belief and firm understanding, to answer the question who is in charge, President Biden is in charge. I think he has assembled --

Senator Sullivan. Yes, I get that. I understand. Sorry to interrupt you. But if you are confirmed, who is going to be in charge below President Biden?

Mr. Regan. Thank you for that. If I am confirmed, then I believe Congress has bestowed certain powers and authorities and accountability to me as the Secretary of EPA.

Senator Sullivan. I would agree with that.

So where the decisions are in EPA's purview, I can assure you that I will be leading and making those decisions. I will be accepting the accountability for those decisions. I believe that the executive order that the president issued to pause the

new sale of oil and gas leases doesn't impact the 90 percent of oil and gas activities that are occurring currently. So the role of EPA is really to work with you, to work with your constituents, to work with the industry to look at a rule that would be best structured to reduce the methane emissions that are coming from those activities.

Senator Sullivan. Let me ask you this. In this sector, though, you are going to have a lot of power. Do you think it is a good idea to be killing any jobs when we are in this major recession? Chuck Schumer is talking about a \$2 trillion stimulus package because of the high unemployment rate. The President of the United States, in his first week in office, is putting thousands of people out of work.

Is that a good idea? Do you support that?

Mr. Regan. I don't think it is a good idea to kill jobs. I think it is a good idea to ensure that we are transitioning the economy toward where we know the jobs will be.

Senator Sullivan. Okay, but if there aren't jobs to be transitioned -- this is my whole problem. This is why we want to talk to the President. Right now they look like they are putting forward a strategy that will crush jobs, lower the amount of energy we produce, and the only replacement is no jobs in this sector, and importing more oil and gas from countries like Russia and Venezuela. It is a policy that makes no sense.

Help me again on the jobs.

Mr. Regan. I think when we look at the jobs, we are looking at the full breadth of what the President intends, which are major investments immediately in infrastructure, infrastructure in terms of making sure that the pipes that we have are not leaky and are reducing the climate impact, making sure that we invest in our water quality, water, sewer, water infrastructure, looking at a more intelligent grid, looking at roads and bridges.

I believe that many of the jobs and the skill sets that people have in your State and other States can move quickly to jobs while we also look at the advancements of other research and development opportunities to position the very communities that supported this Country during the Industrial Revolution --

Senator Sullivan. That is right.

Mr. Regan. -- and made this Country competitive. There is a path, there is a vision --

Senator Sullivan. I am sorry, Madam Chair, just one final follow-up, because this is a really important topic.

The Secretary of Energy in her confirmation hearing kind of indicated that "some jobs may have to be sacrificed." Again, we are in a deep recession. There are millions of people out of work. These are some of the best jobs in the Country, certainly in my State. These are, to your point, and I appreciate your

raising this, the men and women who built this Country. Yet right now, when you ask any of the union leaders, these are great union jobs by the way, building trades, when you ask them, if you lose an oil and gas job in Alaska, or in North Dakota or Texas, what can you replace it with, jobs that would be sacrificed, nobody has an answer. It is a strategy and a policy that makes no sense, which is why we want to go see the President.

The White House press secretary said, sorry, the President is not interested in meeting with one quarter of the Senate on the issue of jobs and energy. I hope he changes his mind and if you get confirmed, maybe you can convince this to talk about this really important issue.

Mr. Regan. Thanks for the question, Senator. What I can assure you is if I am confirmed, I will be sitting down with you, hopefully by invitation in your State, talking to --

Senator Sullivan. We are going to get to round two, so trust me, you are going to get that.

Mr. Regan. All right. Sounds good.

Senator Capito. Senator Booker.

Senator Carper. Madam Chairman, can I ask unanimous consent to enter into the record statements to place, AFL-CIO Biden Executive Support Letter into the record, and also a statement to place the Forbes Obama job growth article into the

record? I ask unanimous consent.

Senator Capito. Without objection.

Senator Carper. Thank you.

[The referenced information follows:]

Senator Sullivan. Madam Chair, I am sorry, can I submit another letter to the record? Maybe I will do that on my -- it is a different letter from the Laborers International, the Pipefitters, their statements on the jobs that have been killed in the building trades that I think would be --

Senator Capito. You make that motion on your next round. If you want to make it now?

Senator Sullivan. I would like to admit that for the record.

Senator Capito. Without objection.

[The referenced information follows:]

Senator Capito. Senator Booker.

Senator Booker. Chairwoman, thank you, very, very much.

Mr. Regan, it is very good to see you here. I look forward, and am very excited to vote for you for confirmation.

I am really disturbed, I have traveled through this Country, was one of the founders here in the Senate of the Environmental Justice Caucus, along with the soon-to-be Chairman, and another one of my incredible colleagues, Tammy Duckworth. I took a journey through environmental justice issues from toxic sites in my own State that have laid, languished, lead problems facing my children. But I didn't stop there. I traveled from Lowndes County, Alabama, and saw horrific evidence of tropical diseases because of the sewage problems there. I was in Duplin County, North Carolina, met with activists there, who, one Vietnam veteran said, I left Vietnam, came home and I have been a prisoner in my own home because of the massive corporate polluters in his State.

I have traveled over to a place in America, you just Google it by calling it Cancer Alley along the Mississippi River, in St. Johns Parish, where there are factories, I just stood there and watched them and saw the air quality report, polluting the air in these low-income communities. In Uniontown, Alabama, I could go on, to the places that I have gone in this Country where you have Americans being poisoned by environmental

injustices.

To me, most of the communities I visited, most of them were low-income communities, and most of them were communities of color. I was surprised, I am a Senator from New Jersey, I met with members of a Black church in Cancer Alley, packed full of people, each of them coming up to talk about the numbers of their family members that have died from cancer in that cancer cluster. All packed together to see one federal official. They just said, they feel like nobody in the Federal Government cares about them.

We live in this Country that has such proud ideals, but we have fallen so short. The number one predictor, in fact, at this point, of whether you are going to live around toxicity, drink polluted water or breathe dirty air is the color of your skin. So I just want to ask you just point blank, you are, should you be confirmed, going to be running an agency whose civil rights division has been eviscerated over the years, where people who look for you to help, you are not even equipped, in my opinion, to actually begin to fight against these issues that affect millions of Americans.

We talk about Flint, Michigan, there are at least 3,000 jurisdictions where children have more than twice the blood lead levels of Flint, Michigan.

So if confirmed, will you make reforming and strengthening

the EPA's civil rights office a priority?

Mr. Regan. Thank you for the question and the statements, Senator Booker. Environmental justice is something that is near and dear to my heart. It has been a part of my career since I started at the EPA the first time around.

I agree with you that the justice system in this Country is failing in a number of areas, including in the environmental justice arena. What I plan to do, first and foremost, is find the resources and establish an environmental justice advisor to the Administrator. The second thing we plan to do is look at a restructuring and reorganization to be sure that our office of civil rights, and we have had adequate staff from every media office that is paying attention specifically to environmental injustice. And number three, you all will hear from me frequently that we do need, or will need, additional resources if we are to commit to solving environmental injustice and equity issues.

In North Carolina, I established the first environmental justice and advisory board, just because as government, we think we know until we start to hear directly from the community.

Senator Booker. I am going to pause there, because I do not want to go the eight or nine minutes over that one of my colleagues went. There is another group of people that are disregarded, disrespected, discounted in our Country, and that

is agriculture workers. Last October, under the Trump Administration, the EPA finalized a rule to weaken the agriculture worker protection standards, safeguards meant to protect farm workers, their families, rural communities in general from the harms of toxic pesticide exposure.

We know that these rollbacks will result in farm workers in nearby communities being at greater risk of being accidentally sprayed by pesticides. I have met with farm workers. I have heard their stories. We know that chlorpyrifos, for example, is a pesticide that federal scientists have determined to be highly dangerous for farm workers, and can cause brain damage to the young children of these farm working families.

EPA scientists have twice recommended that the EPA ban the use of this pesticide. Seven countries in the EU have banned it.

So I want an affirmation from you that you will not render farm workers in America invisible, that their cries for justice, that the health of their children, that these people who are an integral, indispensable part of our food systems, will be treated with human dignity. Can I get an affirmation of that?

Mr. Regan. Absolutely. You have my confirmation on that.

Senator Booker. And would you consider putting science ahead of big business when it comes to the chemical chlorpyrifos?

Mr. Regan. We will be driven by science, and we will be driven by the rule of law.

Senator Booker. Then finally, one of the proudest members, this is my last moment on this committee, and I want to tell you what an honor it has been to serve on it. One of the proudest things I got a chance to do was to work on the TSCA effort here. It was a bipartisan bill. We advanced an issue around making sure that we were reducing animal testing with a great goal.

Will you just please commit that you will remain strongly committed to the work we did together in TSCA, and the reduction of animal testing or to the greatest extent, the elimination of it?

Mr. Regan. You have my confirmation on that as well.

Senator Booker. Thank you very much.

Senator Capito. Thank you. Thank you for your service on the committee. We will miss you.

Senator Booker. Thank you.

Senator Capito. Senator Boozman.

Senator Boozman. Thank you very much. Thank you for being here. I have heard from a lot of friends of yours, and you have an excellent reputation.

One of the honors that I have is being the ranking member of the Agriculture Committee, representing our farm community. Certainly, I know this has come up a bunch today, but the Waters

of the U.S. was really a real burden. As Secretary of the North Carolina Department of Environmental Quality, you signed a letter regarding EPA's 2019 rule appealing the 2015 Waters of the U.S. In this letter, you stated that the EPA should "try to promulgate a clear definition of WOTUS and should allow States the flexibility to regulate waters necessary to achieve the goals of the Clean Water Act in a manner that ensures the health, safety and economic prosperity of their citizens."

But you ultimately opposed EPA's final Navigable Waters Protection Rule, and you support a rule such as the 2015 rule, which had roughly one half of the Country operating on one regulatory construct and the other half of the Country operating on another.

Mr. Regan. Thank you for that question, Senator. As the Secretary of DEQ, having to respond to both rules, there are a lot of lessons learned, pragmatic experiences or pragmatic solutions that we have learned from experiences. I spent a lot of time with a lot of small farmers, I have spent a lot of time with a lot of environmental groups. What I would say is, I am looking forward to convening multiple stakeholder groups on how we chart a path forward. I don't believe that we have to sacrifice water quality at the expense of making sure that farmers, especially small farmers, have a fighting chance in this economy. I believe that you can do both.

What I saw with the 2019 rule was a rollback that went even further back than Presidents of both of our parties. So what I am hopeful for is that we don't have to go with a slingshot approach, that we can look for a common ground, where we give the farming community and the environmental community some certainty that as we move forward, we are going to follow the science, follow the law, look at a pragmatic approach that doesn't overburden the farmer. But we don't have to sacrifice precious wetlands in North Carolina like our Carolina Bays and the others.

The last thing I will say is, it is very difficult for any kind of federal regulation to truly address the unique agricultural needs of different regions. The agriculture needs are different in all of our regions. And the water makeup in Nevada surely doesn't look like the water makeup in North Carolina. So I want a rule that moves forward, that is not overly burdensome, but gives the States the flexibility to protect water quality and protect the local agricultural economy.

Senator Boozman. I would agree with that. The problem is that generally, with EPA, and you have experienced this in North Carolina, they agree with you unless the State disagrees. That becomes a problem.

For our small farmers, and I agree with everything you

said, the burden on particularly our small farmers, as EPA director, what is the significant nexus test regarding waters of the U.S.? What is the nexus test? What would you tell our farmers?

Mr. Regan. What I think I will tell our farmers is that with this Administrator, we are going to have an open door policy. I want to hear from our farming community. I want to hear about the administrative burdens that they felt they suffered as a result of some of what they call definitions that they did not understand.

But I also want to make it a point that in North Carolina, one of the biggest problems we saw was the lack of resources in my department to provide technical assistance to these farmers. I don't believe that small farmers are looking for a shortcut, and I don't believe that small farmers do not want to protect our wetlands and our water quality. We have to work together to make sure that we have a rule that is understandable but protective of, again, our water quality as well as not overburden our small farmers. I believe that we can do that if we have more conversations.

Senator Boozman. Good. Well, we look forward to working with you on that. And it really is important. Listening to you, you understand the importance, and I appreciate that.

Also, I agree with the statement about the fact that I know

that in North Carolina, Arkansas, almost all of our States, the resources to actually educate farmers in lots of different things is lacking.

Mr. Regan. Yes, it is.

Senator Boozman. So hopefully we can help with that, also.

Mr. Regan. Absolutely.

Senator Boozman. Thank you very much.

Senator Capito. Thank you.

Senator Markey.

Senator Markey. Madam Chair, can you hear me and see me?

Senator Capito. I can hear you, but I can't see you, but I bet I will in a few minutes. I can hear you though, very well. There you are.

Senator Markey. Okay, beautiful, thank you, Madam Chair.

Welcome, Mr. Secretary. I have looked at your outstanding record. I know that you are going to do an outstanding job at the EPA.

What I would like to do is, you were talking about clean car standards and our ability to lift the overall energy efficiency of the vehicles which we drive in the United States of America. We have had a rollback over the last four years, but we have had big developments very recently where General Motors has now announced that they are going to end their production of the internal combustion engine vehicles by the

year 2035. China is on a similar course. Europe is moving very aggressively.

Are you committed to using the authorities you have at the EPA in order to increase those fuel economy standards? And do you believe ultimately that there are consumer benefits to having these much more efficient vehicles be put on the roads and given as an option for consumers to purchase?

Mr. Regan. Thank you for the question, Senator.

I do anticipate using our statutory authority to set the rules for the road. And I believe that we are going to do it in a way that it complements the aggressive goals set by and established by the private sector, the automobile industries.

We believe that the market is trending in a specific direction. And we believe that we need the right policies and the right regulations to be sure that all of the players understand that there is a level playing field and understand the rules of engagement.

There are tremendous benefits to moving this direction. There are tremendous benefits to the economy, there are tremendous benefits to our automobile manufacturing sector in terms of production. There are tremendous benefits from a health and climate standpoint.

We have to do a good job of having robust conversations with all the stakeholders, so that we can really, really take

advantage of the win-win-win, and that our strong labor force can see themselves in this vision for the future.

Senator Markey. So, I agree with you, it is good for the climate and environment, it is a job creation engine, and it actually ultimately helps consumers with lower prices in the long run. So I agree with you a hundred percent.

Will you work to ensure that States like California and Massachusetts can work toward the creation of their own standards to make sure that vehicles in those States meet the highest standards?

Mr. Regan. Absolutely. I believe in following the law and following established precedents. I think that the California waiver exists for a reason. I think there is a process that we should follow, and if those States follow those processes and wants to be champions in this arena, then they can go forth and conquer, and the rest of the Country can learn from these first mover opportunities that they are taking advantage of.

Senator Markey. I agree with you. The States can move, and you can move them. We are so glad to have you there. We can turn EPA into Economy Protection Agency, we can turn the EPA into Emissions Prevention Agency. I just think we are on the cusp of a great new era.

I would love to turn now to our conversation about environmental justice. You just had a great conversation with

Senator Booker. I have introduced legislation, the Environmental Justice Mapping and Data Collection Act. The reason I have done that, with Congresswoman Cory Bush, is to make sure that we actually measure the pollution, measure the environmental damage. Because if you can't measure something, you can't plan to deal with it.

So what do you think about that kind of legislation, and those kinds of tools being given to you so that that kind of mapping can be done all across the Country, and as a result remedial actions can be taken in a much more wise and targeted way? But also knowing that it is disproportionately in Black and Brown communities all across the Country.

Mr. Regan. Thank you for that, and thank you for your leadership on that. I believe that the more data that we have, the more modeling that we have, the more tools that we have that paint these pictures, the easier it is for us to make the case. We know that there are disproportionate impacts to many of our communities.

So the more data we have, the greater ability we have to rectify those problems. I also believe that tools like that, and we have seen this in North Carolina, when you put tools like this in the hands of our economic developers and our locally elected officials, number one, they will take action or help support State agencies take action. But number two, as they do

their long-term planning to recruit new industries, they have a better sense of what the cumulative impact could be to these communities based on the decisions that they are making.

So I believe it gives business also a clearer understanding of how to plan for economic development projects as well.

Senator Markey. So President Biden has --

Senator Capito. Senator Markey, time.

Senator Markey. Thank you, Madam Chairman. I am looking forward to working with you, Mr. Secretary.

Senator Capito. Senator Wicker.

Senator Wicker. Hello, Mr. Regan. Glad to get a chance to see you in person. Thank you for taking the time to talk to me a couple of times on the phone.

When we visited, I mentioned that I was stationed in your home town of Goldsboro, North Carolina, for some four years. We lived on Elm Street, and it turns out we were practically neighbors when we were there for the four years.

Mr. Regan. That is right.

Senator Wicker. North Carolina has become a lot more urban since I moved away in 1980. But still a lot of rural small towns, rural communities, and I would imagine a lot of rural water associations. Is that correct?

Mr. Regan. That is correct.

Senator Wicker. And you had a chance to work with them as

Secretary, DEQ Secretary of North Carolina?

Mr. Regan. Yes.

Senator Wicker. Let me ask you if you agree with this. There is not a single water association board or board member that doesn't want to comply with the Clean Water Act or the Safe Drinking Water Act, it is just a matter of having the expertise and the resources to do so. Am I generally correct there?

Mr. Regan. That is correct.

Senator Wicker. So in working with these volunteer association boards to comply with the new requirements, there are two ways to approach this. One would be to impose penalties on them for not getting to where they need to be, and the other would be technical assistance, financial assistance, and resources to help them get to where you want them to go, and where they want to get to.

I like the second approach. What do you say about that? And what has been your experience as DEQ Secretary?

Mr. Regan. My experience as DEQ Secretary is that number one, people don't like surprises. They like to understand the rules of the road and they like certainty. Where we have been most successful is the ability to provide technical assistance so that folks do not run afoul.

Senator Wicker. Okay. But also, a lot of times when they are running afoul, as you say, it is something that they didn't

bring up themselves, it is just their inability to afford the new equipment or the new hardware that it takes to get where they want to go. That is where the assistance and the technical assistance comes in. I think you and I are on the same page there.

But I hope you can assure me that you are going to work in a collaborative way with these associations who absolutely want the best water and the cleanest water for the members of their association and the neighborhoods.

Mr. Regan. I will. And this is where the President's plan looking at the number of investments that we need in our water infrastructure is so critical. In North Carolina, we have somewhere between \$17 billion and \$21 billion worth of water infrastructure needs. We have advanced technologies that can detect water chemicals and pollutants that no one ever dreamed of.

We have to find a way to partner with these water associations, invest in this infrastructure, so that we can do a couple of things. The first is that we can protect water quality. But number two, without this infrastructure, these rural towns and cities are lagging behind in the ability to develop economically and attract businesses.

Senator Wicker. I think I am understanding from your answer that North Carolina rural water associations are not

quite there yet either, and it is going to take some federal assistance.

Mr. Regan. I think every State is struggling, across the Country, sir.

Senator Wicker. Let me mention one other thing. Senator Cardin went on about Chesapeake Bay, Senator Whitehouse could hardly wait until he got to the microphone to mention Narragansett Bay. I am sure they are mighty fine. There is also the Gulf of Mexico. I certainly hope you will be down to see us soon in the Gulf of Mexico.

You should know, if you don't already, that after the Deepwater Horizon spill in 2010, the largest oil spill in the history of the Country, Congress passed the RESTORE Act. There is a RESTORE Council. Are you aware that they unanimously voted, the council unanimously voted that the EPA Administrator would serve as chair of that council? Are you ready for that?

Mr. Regan. I was not aware of that.

Senator Wicker. Okay. Well, I am telling you for the first time that you are. Under the previous Administration, the chair worked collaboratively with the five States on the RESTORE Council. So if confirmed, you are going to need to get back to us and tell us how you would work and view your role as chair of the RESTORE Council, which is responsible for deciding how the support for the impacted areas will be handled.

Mr. Regan. Thank you for that. I can tell you just based on my experience, the way I would manage that body is, number one, ensuring that all the stakeholders have a voice. Number two, that we understand what the clear rules of engagement are. And number three, that we will follow the science and the intent, the original intent of this RESTORE Council.

I believe firmly that rules are set for a reason, that science and data can inform us, and that all of the people sitting at the table should have an equal voice in terms of how we move forward to find solutions.

Senator Wicker. I can't wait to see you down there. Madam Chair, I just might observe that as other members have found, you have sped that clock up this afternoon somehow.

Senator Capito. And your time is over.

[Laughter.]

Senator Wicker. Thank you, ma'am.

Senator Capito. Senator Duckworth.

Senator Duckworth. Thank you, Madam Chair. I am trying to start my video, but it does not seem to be working.

Senator Capito. We can hear you, for sure.

Senator Duckworth. Okay, great. I am going to go ahead and start with my questions.

Thank you so much, Mr. Regan, for, as we discussed, for your being here. And as we discussed during our courtesy

meeting, solving our climate crisis must be a top national priority. A critical pillar of this effort should be the American biofuel industry. In particular, farmers and others in Illinois and throughout the heartland are ready to do their part to help lower carbon emissions in the transportation sector and reduce dependence on foreign oil, all while creating or supporting quality jobs right here at home.

It is hard to think of a better way to put American interests first than supporting the U.S. biofuel industry. That is why one of the most surprising actions of the Trump Administration may have been its cynical betrayal of the Midwest. While the former President campaigned on grand claims of being a champion of the renewable fuels standard, upon entering office, however, the Trump transition immediately empowered a billionaire in its own family business to begin secret plotting to dismantle the RFS.

My constituents in Illinois were betrayed, but remain optimistic that the Biden Administration will be a staunch champion of our farmers and of American biofuels. Mr. Regan, if confirmed to lead EPA, will you prioritize the faithful execution of the bipartisan biofuels program just as Congress intended?

Mr. Regan. Thank you for that question, Senator Duckworth. You have my commitment that we will take a look at the RFS

program, and we will introduce some transparency into that program. We will let science lead us and we will follow the letter of the law as it was intended for that program.

President Biden has not been shy that agriculture will have a seat at the table as we tackle climate. And he has been specifically focused on biofuels and advanced biofuels. One of the first conversations I had upon nomination was reaching out to now-Secretary Tom Vilsack to talk about how we can partner together to pursue these efforts.

So you have my commitment in this area.

Senator Duckworth. Thank you. We ultimately need to look at this a little bit in terms of the backlog. Much attention was given to the prior Administration's unlawful abuse of exemptions for oil refineries. However, the Trump Administration's sabotage of the RFS program was not limited to doing the bidding of big oil. In fact, EPA was also slow to act, or refused to act in certain cases on applications from innovative American companies developing new, advanced biofuels that are ready to qualify for the RFS.

EPA now faces a huge backlog of applications, some of which have been sitting for over four years. If confirmed, will you commit to prioritizing clearing this backlog so that new, climate friendly biofuels can enter the market as soon as possible?

Mr. Regan. Thank you for the question, Senator. I will spend some time with our staff taking a look at this backlog, and working on processes of efficiency so that can make up for lost time.

Senator Duckworth. Thank you.

I also want to talk to you a little bit about environmental justice. My partner in this, Senator Booker, initiated the conversation. We have talked about this at length on both sides of the aisle. I am so happy to see that there is bipartisan support for fixing environmental injustice.

If confirmed, what actions would you take to institutionalize a focus on environmental justice in every region of the EPA? For example, some of the injustice happens because of structural injustice. You just don't have enough staff members that can do the monitoring, that can actually go out there in some of these regions, whether it is the south side of Chicago, or a rural community like Sauget, Illinois, in far southern Illinois, where there is just not enough people to go out there and actually maintain the ambient air monitoring of chemical emissions.

What would you do to fix that, to actually fix the inequities within the institutional structure at the EPA, so that we have a focus on environmental justice in every region where EPA is?

Mr. Regan. Thank you for that question. I am proud to say that President Biden has made environmental justice a centerpiece of this Administration. So we are going to have some help in terms of looking at CEQ and other agencies as well.

But as it relates to EPA, it is my intent to have an environmental justice and equity advisor to the Administrator, if I am lucky enough to be confirmed. We also are looking at how we need to organize EPA to be sure that environmental justice and equity is a top priority. We know that in looking at the preliminary hiring of a lot of officials at EPA we will have environmental justice and equity experts, people who have on the ground experience and expertise placed in all of our media offices, so that that lens is applied at every level of our decision making.

We have a lot of work to do. We have a lot of ground to make up. I am sure that I will be back before this committee asking for additional resources in this area to be sure that all Americans have access to clean air and clean water.

Senator Duckworth. Thank you. In the coming weeks, I will be introducing the comprehensive Environmental Justice for All Act in coordination with leaders of the House EJ Caucus, who will also introduce the House companion bill. If confirmed, will you commit to directing EPA to provide technical assistance to support my office and this committee so that we may

strengthen and advance this important legislative proposal?

Mr. Regan. Thank you for that question. You have my commitment that the staff and myself at EPA will be a partner in any legislation that advances this topic and helps us do a better job of protecting each and every American in this Country.

Senator Capito. Thank you, Senator Duckworth. Your time is up.

Senator Duckworth. Thank you, Madam Chair.

Senator Capito. Senator Ernst, I believe, wants to question but in person. She is not here so we will go to Senator Van Hollen. Oh, excuse me.

Senator Carper. Before we do that, could I ask unanimous consent to place in the record a statement from gosh, over 20 agricultural organizations, in support of the nomination of Secretary Michael Regan?

Senator Capito. Without objection.

[The referenced information follows:]

Senator Capito. Senator Van Hollen?

Senator Van Hollen. Thank you, Madam Chair, thank you and Senator Carper and the others. Mr. Regan, congratulations on the nomination. Thank you for your service in North Carolina.

Just at the top of my question and comments here, I do want to associate myself with the remarks of Senator Duckworth, and appreciate the focus on environmental justice and also with respect to Senator Merkley and other comments about the President's climate change agenda and how that is so important for American jobs. We don't want to leave any community behind, as you say.

But by not engaging, by leaving the Paris Accord, by ceding leadership to China and others, we actually fell behind in an area that is essential to American jobs and good paying homegrown jobs. The costs of doing nothing not only come in the form of more severe weather events and other costs to all of our communities, but also in lost job opportunities in the clean energy sector. So I appreciate this Administration's focus in that area.

I want to follow up on some of the comments of my colleague from Maryland, Senator Cardin. On this committee, you have a number of Senators very engaged in the Chesapeake Bay protection, including Chair Capito and Chairman Carper, Senator Cardin and myself. It is because it is a multi-State

responsibility. Because it is a multijurisdictional responsibility, EPA is right at the center. It is part of the glue that helps all of us row in the same direction. At least that is what we are supposed to be doing.

And so over the last many years, we have succeeded on a bipartisan basis in preventing deep cuts proposed of the previous Administration to the EPA program. I want to thank my colleagues on both sides of the aisle for that effort. We are going to need you front and center here now to make sure that we hit our goals under the Chesapeake Bay Agreement for 2025. Some States, all States can do better, but some States are really lagging behind, including the State of Pennsylvania.

So I just need your commitment that you will work with us across the State lines to make sure that we hit our targets in pollution reduction in accordance with the 2025 goal.

Mr. Regan. Thank you for that, Senator Van Hollen. Yes, absolutely, it is my goal and desire to mobilize all of the resources that we need at EPA to be a partner to these States, so that we meet that 2025 goal.

Senator Van Hollen. All right, because we are already behind. And in the case of Pennsylvania, significantly behind. We had hoped to work with the previous Administration to close that gap, and of course, in the State of Pennsylvania, lawsuits have been filed both by the State of Maryland but also other

organizations. We would like to resolve these issues as soon as possible.

Let me ask you about the Good Neighbor Air Transport Issue. Maryland has worked over the decades to address the issue of air pollution originating in other States, but falling in Maryland and into the Chesapeake Bay. In 2018, the Trump Administration's EPA denied Maryland's good neighbor petition under Section 1265(b) of the Clean Air Act regarding 36 upwind electric generating units in five another States. On May 9th of last year, the D.C. Circuit Court of Appeals granted Maryland's good neighbor petition for review in part and remanded the issue to EPA.

I would like to get your commitment here today to work with us to address this downwind air pollution issue and a new review of Maryland's good neighbor petition under the Clean Air Act.

Mr. Regan. Thank you for that question. You do have my commitment that this agency would review that petition. North Carolina is one of the States that has had to exercise that good neighbor petition. We were granted the petition, we ended up in court and we won under the leadership of now-Governor Cooper.

So we understand the impact of transport and the implications that that might have on a State's economy. So you have my commitment that we will review that.

Senator Van Hollen. I appreciate that. And finally, just

as you probably know, thousands, actually, over a thousand really dedicated EPA employees have left the agency over the last four years, including a lot of people with very special expertise. So I hope you will work with our entire committee as you seek to rebuild morale at the EPA.

Thank you. Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Carper.

Senator Carper. Yes, I wanted to say to Senator Van Hollen, who is leaving our committee and is going to join the Foreign Relations Committee, something he has been wanting to do for a long time. Just to say how much we valued, how much I valued his work with us, and the spirit that he brings to these issues.

I want to draft on him for a minute, Mr. Regan, just want to draft for a minute, that is what we say in NASCAR. I want to draft on Senator Van Hollen just for a minute on the air transport issue rule, a similar situation. When I was Governor in Delaware, roughly 80 to 90 percent of the harmful emissions that come into our State, air emissions, come not from generators within, they come from without and they are blowing into our State, from the north, from the west. I used to say I could literally shut down the economy of the State of Delaware, shut it down, and we would still be out of compliance. We

basically got no help from the last Administration, and I am encouraged to hear that this is something you are knowledgeable about and have worked on before. We look forward to making sure that we treat other people the way we want to be treated. It is the Golden Rule all over again in a way everybody can understand.

I want to just mention some of what we have experienced. Delaware is the lowest-lying State in America. The seas around us are rising. That is something that we are witnessing. We have also witnessed in this Country of and nine in the last ten years the hottest on record. Hottest on record. About a year ago, they had hurricane force winds in Iowa in the middle of the year, wiped about a third of their crops. Fire storms in California last year, Oregon and Washington last year, the size of my State.

Sea level rise in Louisiana, we are reminded by our colleagues John Neely Kennedy, Bill Cassidy, in Louisiana, they lose a football sized area of wetlands every 30 minutes to the ocean, to the sea. Every 30 minutes. I remember being down in that State with Senator Landrieu maybe 10, 15 years ago. She said they would lose maybe one or two football fields of land, now it is like one every 30 minutes.

Sea level rise in Louisiana, Arctic Circle. My wife was down in Antarctica a year ago. The temperatures down there

broke records, all-time records. We learned earlier last year that in the Arctic Circle, the temperature there reached 100 degrees Fahrenheit. In the Arctic Circle, 100 degrees Fahrenheit. We have more named hurricanes last year than any year before then. We ran out of names, we had to start with a new alphabet or something, as I recall. And I understand Hurricane Laura damaged last year, the property damage, casualty damage, was \$19 billion. Last year we had 22 \$1 billion disasters that flowed from hurricanes and storms, 22 in excess of \$1 billion.

Hurricane Florence was just in North Carolina alone, I am told, \$24 billion. And the science is in, the reason why all this calamity and extreme weather is going in and the enormous loss of life and danger and property and economic value is because we have too much carbon in the air, and too much methane in the air. We have too much HFCs, hydrofluorocarbon, in the air. And we have to do something about it. If we don't, it is just going to get worse. In fact, it has been getting worse.

The question is, can we do something about it, reduce the HFCs, reduce the carbon dioxide, can we do those things and create economic opportunity and jobs, the kind of stuff that Senator Sullivan is talking about? Every fiber of my being says we can do both. I think we got it, we have to do both.

Would you just comment on that again? I know you have

talked about it, but just come back to it again.

Mr. Regan. Thank you for that. I absolutely agree that we have to do something about it. In North Carolina alone, in the last five to seven years, we have seen three or four so-called 500 year, 1,000 year floods. These storms are very intense. We know that human activity is contributing to the intensity of these storms. So not only do we have to focus on solutions to mitigate climate change, which President Biden's aggressive agenda demonstrates that we can create good jobs on the mitigation side.

We have also got to design resiliency in infrastructure plans, so that we can adjust to this new norm. We've got to adjust to the new storm intensity, the new flooding. We cannot build the same way we have always been. We can't put Humpty Dumpty back together the same way every time.

So the answer to your question is, yes, we believe that human activity is intensifying this situation we find ourselves in. Yes, we believe that there are solutions to mitigate climate change. Yes, we believe that we can create jobs and safety while becoming more resilient. And yes, we believe that we can create jobs on the mitigation side as well.

We believe that there is safety, that there is health outcomes and there is job creation in all of these various scenarios. We just have to have a plan. We all have to be

rowing in the same direction. And we have to come together and everyone has to see themselves in this vision that we are painting.

Senator Carper. Senator Coons and I had the opportunity to have a conversation today with our new President. We talked about what to do to help people, some of the kinds of people that Senator Sullivan was just talking about, people whose job skills may be are not relevant, maybe they just -- that is the wrong way to say it, that it is not relevant. But there is just not the demand for those skills that there might have once been. Is there something that we can do to help them?

One of the things we are experimenting with in Delaware, and you might want to consider this in other places, is how do we help folks to retrain, retool, to fill the jobs that are out there? I grew up in West Virginia, born in West Virginia. A lot of my neighbors were coal miners. We used to have hundreds of thousands of jobs in coal mining, including a bunch in West Virginia. I think in the Country now we might have 50,000 jobs.

We can't just forget those people. We have to find something to help them to do, to find new skills. Just give us some examples of how we might do that.

Mr. Regan. One example is looking at President Biden's executive order solely focused on this question, looking at how do we help transition our States that are heavily dependent on

coal and mining. The reality is that as we think about EPA sort of setting the rules of engagement for the level of emissions that we need to reduce in order to save the planet, the reality is that there are other agencies that are also major players in this that have resources to invest in research and development. We can really think about some new advantages in the supply chain that coal actually offers. We can really think about when we retool these communities, really understanding what the skills are. Most of the skills are transferable to needs that we have right now in terms of infrastructure, filling a gap for some of the research and development that is going into new science, technology and the like.

So my point is that I don't believe there is a silver bullet. I believe that it requires a robust conversation. I believe the market is trending in this direction. I believe technology is trending in this direction. I believe that American ingenuity, if we can all come together, can solve these problems, and we can lead the world.

Senator Carper. I believe we have a second round. I appreciate the time. Thank you, Madam Chair.

Senator Capito. Thank you. Senator Ernst.

Senator Ernst. Thank you, Madam Chair, and thank you, Mr. Regan, for appearing in front of our committee today. I have a couple of really important issues that I want to visit with you

about, very important to our Iowa farmers and our producers. I am so thankful to have had the conversation we did the other week. So thank you so much.

One of the most important issues that the EPA will consider for my State is how to handle the Renewable Fuels Standard. We all have very differing opinions maybe on this committee. But it is very important to Iowans.

Should you be confirmed for this position, waiting on your desk with anticipation when you get through the door will be a number of pending items related to the RFS. There will be some decisions on small refinery exemptions. You will have an RVO for 2021, those pending cellulosic biofuel petitions, and a request by governors to waive the RFS program because of COVID-19.

Then a few months later, EPA will begin figuring out the 2022 RVO and how to handle volumes in 2023 and beyond, as well as determining how to handle some regulatory hurdles facing fuels, like E-15. There is a lot going on in this space.

So in short, because there is a lot happening, EPA really does need to step in and provide guidance. So how will you ensure that these important matters, which really do have an outsized impact on many States like Iowa, and for a number of these States in the middle of the Country? How will you look at this and make sure that they get handled in a way that provides

further economic opportunity?

Mr. Regan. Thank you, Senator, for that question. I too have enjoyed the conversations we have had on this topic. RFS is definitely a priority for this Administration. I recognize that there will be a number of things sitting on the desk if I am fortunate enough to be confirmed.

The reality is that I want to sit down with my staff, sit down with legal counsel. There are a number of things that are caught up in litigation. There are a number of things that we need more transparency around how we arrived to those decisions. And we need to be sure that the agency actually applied the latest data, the latest science, and followed the letter of the law in some of the decisions that have been made.

So we plan to do a thorough review of all of the decisions that fit under the umbrella of the RFS. But we don't plan to do that without consultation with you and with other stakeholders that will be impacted by these decisions.

What I can promise you is, we will take a no surprise approach. We will be extremely transparent. We will be forthcoming with the science and the data and the legal determinations that we come to in order to make those decisions. And we will share those decisions with you.

Senator Ernst. I think that is a very important first step. Hopefully, we continue to work beyond that. Transparency

is something that we have felt has been lacking. And we fully expect that to have integrity in any sort of program, we need that from the EPA. We need to understand how those decisions are being made.

So if confirmed, staying on the topic of the RFS, can you commit to a strong and growing role for corn ethanol in the RFS, including for 2023 and beyond, when the statutory tables have expired? Again, we have some hurdles coming up after 2022. EPA will be heavily, heavily involved in this. We do want to see the continuation of our renewables. Is that something you can commit to?

Mr. Regan. Yes. I can commit to the fact that the President has indicated that agriculture will have a seat at the table in this Administration, especially as it relates to climate change. We are going to take a look at all the latest science and be sure that we are communicating that with you all.

There is a commitment that, again, following the science and following the letter of the law, the intentions of the RFS will be a top priority for us.

Senator Ernst. Wonderful. My time is running short, so I am going to jump ahead to WOTUS. On the first day in office, President Biden gave clear direction to EPA to review and rescind a number of the Trump EPA's major rulemakings, including the Navigable Waters Protection Rule. As you know this rule

replaced the Obama Administration's 2015 WOTUS rule. And the Navigable Waters Rule does enjoy widespread support from our farmers and ranchers.

If confirmed, do you intend to rescind the Navigable Waters Protection Rule?

Mr. Regan. Thank you for that question. If I am confirmed, I plan to take a look at what our options are to address any kind of lingering concerns, whether that be litigious or concerns with the community, bring our stakeholders together, as I have done in North Carolina, and take a look at what do we need to do to move forward to provide some certainty to our farming community, especially our small farmers, so that decisions can be made and investments are not stranded on the sidelines.

But I also want to be sure that we do that in a way where we are protecting our water quality, our wetlands, and our bays.

Senator Ernst. And I always believe, and maybe you do as well, but our farmers are the first conservationists and do a very good job through education and other means of putting those things into practice. So I appreciate that.

Senator Capito. Senator Ernst, your time is expired.

Senator Ernst. What we don't want to do is exacerbate the problem further. Thank you very much for your indulgence, Madam Chair.

Senator Capito. Thank you.

So I believe all our members have, wishing to ask a first round of questions have had the opportunity to do so. I am going to ask if you are okay if we go to a second round. I don't want to be very long, I don't believe. Do you need a little bit of a break, or are you okay?

Mr. Regan. I am fine, thank you.

Senator Capito. And your son is amazing. He is great. I have been watching him. I have seven grandchildren, not sure that would happen at our house.

Senator Carper. When our boy was that age, what is he, eight or nine?

Senator Capito. He's seven.

Senator Carper. No way in the world I would have brought them to a hearing like this. I don't know if you have him sedated or what. He is a trooper.

[Laughter.]

Mr. Regan. There is a toy in the deal, Senator.

Senator Carper. I hope it is a good one.

Senator Capito. I hope it is a good one, yes.

[Laughter.]

Senator Capito. So I am going to yield my first questioning time to Senator Sullivan, then we will go to Senator Carper.

Senator Sullivan. Thank you, Madam Chair. Mr. Regan, thanks again. I do want to, of course, get your commitment, if confirmed, to get up to Alaska.

Mr. Regan. Yes, you have my commitment.

Senator Sullivan. Absolutely great. Listen, to my friend Senator Carper, who is a good friend of mine, I Just want to caution everybody on these discussions, the discussion of like, what is a relevant job and what isn't, all my constituents have relevant jobs right now. Let me give you one example. We can grow the economy, create millions of jobs and reduce greenhouse gas emissions.

How do I know? Because we have already done that. From 2005 to 2017, the United States reduced greenhouse gas emissions by almost 15 percent. That is more than any other major economy in the world, by far. How did that happen? It wasn't EPA regulations, no offense to the EPA, Obama, Trump, now Biden. It was the revolution in natural gas, period. Everybody knows that. President Biden used to brag about it last year on how important it is. That is oil and gas workers.

So they are incredibly relevant. So we need to be cautious. Every job is relevant. My constituents have very relevant jobs. The last thing we want is to have senior Administration officials, John Kerry, Gina McCarthy, others, telling Americans what is relevant and not. That is not the way

to bring people together.

I want to talk a little bit about Alaska. We are the classic place where one size does not fit all. We are very big. My Texas colleagues get sick of it when I talk about we are two and a half times the size of Texas. If you split Alaska in half, Texas would be the third largest State in the Country.

But I mention that because so many things EPA does have an enormous impact on my State. Let me just give you a couple of stats. Alaska is home to 63 percent of the Nation's jurisdictional waters under the Clean Water Act. We are home to 65 percent of the Nation's wetlands. Sixty-five percent of America's wetlands reside in my State.

So that is why issues like the Waters of the U.S. are really, really important to my constituents. We have more coastline than the rest of the lower 48 States combined. We do, just in my State.

So these issues are huge in Alaska, which is why I look forward to getting you up there if confirmed.

Now, I want to turn to this really important issue, I am glad you are raising it, equity and environmental justice. The one groups that I want to talk about in particular are the large minority group in my State, which are Alaska Natives. The population includes my wife, my daughters, almost 20 percent of the population. We have over 30 communities in Alaska, mostly

Alaska Native, that have no running water, no flush toilets, nothing. So one of my first pieces of legislation that I passed in this committee with Senator Boxer was for communities that are disadvantaged like that.

So can I get your commitment, if confirmed, to work with me on this issue, which just shouldn't happen. There shouldn't be communities in America that don't have running water and flush toilets. Can I get your commitment on that?

Mr. Regan. Senator, absolutely. Absolutely.

Senator Sullivan. Equity and environmental justice issue if there ever was one.

Let me turn to a big map that I trot out a lot. This is from the American Medical Association. We are talking about jobs, why these policies are important for jobs. I am going to talk about not just for jobs, but for lives. The AMA did a study from 1980 to 2014, and it looked at what part of the Country, what region had life expectancy increases. Where you see blue and purple, that is the most. My State had the biggest life expectancy increases in the Country by far, seven, eight, nine, of up to 13 years.

I have asked my colleagues, because I have trotted this out a lot, give me a policy indicator more important is, are your constituents living longer. Not many. In my State, that has happened. The reason it has happened is because these

communities that you see in Alaska, where there is a big life expectancy, they start from a very low level. Most of the Alaska Native communities, really low life expectancies.

But what happened from 1980 to 2014 is resource development happened. Oil and gas happened. Mining happened. That is why I get so emotional about these issues. These are equity issues. These are environmental justice issues. If this Administration wants to shut down these kinds of economic opportunities, this impacts people's jobs but also how long they live. So I would like to get your commitment before any big decisions are made on undermining these kinds of industries to work with me, work with my stakeholders.

Madam Chair, I would just like to introduce a Wall Street Journal op-ed from the Mayor of the North Slope Borough, Inupiat leader that was entitled Goldman Sachs to Alaska Natives, Drop Dead. This was all the big banks, saying, we are not going to invest up there. What he said in his op-ed was, and I worry about the livelihood and life expectancy of the Native people of Alaska.

So when you are talking about environmental justice, please don't forget about the Native people of my State. Because they have benefitted from oil and gas and resource development jobs in a way that most Americans can't even imagine.

So can I get your commitment when you are working these

equity, environmental justice issues, to have my constituents front and center in your mind as well?

Mr. Regan. Senator, I look forward to working with you and your constituents on all of these issues. And I would really love to get the details and the data behind that life expectancy chart there. I would love to study that, and have my staff study that.

In areas where States are leading, we want to learn from those States who want to replicate those things. So I look forward to that.

Senator Sullivan. Great. Thank you very much.

Senator Capito. Thank you.

Senator Sullivan. Thank you, Madam Chair.

Senator Capito. Senator Carper, a second round?

Senator Carper. Thank you.

Great source of greenhouse gas emissions in this Country are mobile sources. Cars, trucks and vans that we drive. We heard earlier today that our friends at General Motors have announced that they are going to be basically phasing out gasoline and diesel powered cars, truck and vans by 2035. A group of five auto companies found common cause with California and about 20 some other States last year to begin reducing and ratcheting down greenhouse gas emissions.

I am encouraged with the letter that has been sent by the

auto industry, many companies in the auto industry, to the President just in the past week that there is an eagerness to build on that five-State deal, or rather the five-car company deal with California, and others. There is a witness, an interest in building on that as a foundation to ramp up greenhouse gas emissions so that actually eliminating gasoline powered cars, trucks and vans by 2035 is not a pipe dream.

Would you talk about that? Will you talk about the willingness of the Administration to work to build on what is already happening in the marketplace and to work with companies like General Motors, Toyota, and others to actually get us to where we are talking about going, reducing emissions from the greatest source, that is our mobile sources?

Mr. Regan. Absolutely. Thank you for that question and those statements. You are exactly right. I think that we are seeing the markets trend in a direction where technology is leading us. I believe that there are lots of jobs to be had in this area.

Under President Biden's aggressive agenda, there is a real focus on transportation. EPA has a large role in that. I think that we have a lot of authority under the Clean Air Act, using some of our mobile source rules, to really structure and set the stage for how we usher in this new era that we are seeing the private sector move toward.

A couple of points that I would like to make is, number one, we have the power to set these standards in a way that, again, defines the rules of engagement so all of these companies can move together in sync, but compete in a competitive market. Number two, if we work very hard, we can see the benefits of good paying union jobs here in the United States, help to usher in this new era and earn a great salary at the same time. And number three, we will see tremendous benefits, not only from a climate standpoint, but we will see tremendous to air quality.

As we look at our roads and bridges and traffic patterns, we know that many of these roads go through communities that are disproportionately impacted by air pollution. So there is just so much to be gained here. EPA could play a leading role, using the Clean Air Act and our mobile source rulemaking. We can partner well with an automobile industry that is seizing this momentum. And we will get climate benefits, we will get jobs, and we will get better air quality for those who have been disproportionately impacted for too long.

Senator Carper. Thank you.

I had a conversation with Mary Barra last year, the CEO of General Motors, about the future of the auto industry, and the propulsion in the auto industry. Interesting enough, she said, I was trying to get her, to convince her from GM to join these other five auto companies in the agreement with California and a

bunch of States. She said, I am already on an electric. That is the future and that is where we are going.

We need three things, in the industry, three things in order to be successful in this regard with respect to electric vehicles and hydrogen powered vehicles. One, she said, we need easy access to charging stations and fueling stations for hydrogen. We need technology that we have the batteries that can recharge in minutes, not in hours. And she said, we need the ability to get range, at least 300 miles for a vehicle on a full charge of the battery. She said those are three things we need.

One of those is something this committee can do something about. I am sure my colleague, Senator Capito, remembers this when we passed the five-year reauthorization of the Surface Transportation Act a year and a half ago in this committee, we included in there a significant climate chapter. Under that was building a series of corridors across the Country where we have fueling stations and charging stations. That would be part of that, as introduced, as support for moving the industry.

It is no good for us, for GM and Ford and Chrysler and others, to build electric powered vehicles or hydrogen powered vehicles and nobody is going to buy them because they can't get them charged and refueled. We can do something about that.

Last thing I am going to ask about, renewable,

identification numbers. We have a refinery in Delaware City, they keep getting hammered by the volatility of something called RINs, Renewable Identification Numbers. Somebody else I think actually mentioned this in conjunction with renewable fuel standards. It has become a commodity, it is traded in a commodity. It disadvantages refineries, especially the smaller refineries. Because it is like someone is using, making out of this tool that was designed to make the renewable fuels standard work, making it hard to be successful.

Is this something that you are familiar with and care about, know about?

Mr. Regan. Yes. We have had some discussions on this, and understand how it fits into the full picture of the RFS, and understand that we really need to protect the integrity of these RINs. Also ensuring that we are looking holistically at the original intent of the RFS and the law and applying the correct data and science to be sure that we are protecting the integrity of those RINs.

Senator Carper. One more quick question if I could, Madam Chairman. Would that be okay, one more?

Senator Capito. Sure.

Senator Carper. Thanks. Mr. Regan, the AIM Act legislation we passed here, the idea is to ratchet down HFCs over a 15-year period of time. HFCs are a thousand times more

dangerous in terms of greenhouse gases and carbon dioxide, as you probably know. Would you commit that if confirmed, you will support the President's direction to the State Department to send the Kerdally [phonetic] amendment to the Senate for ratification? And will you make implementation of the AIM Act, which is the legislation that does the phasedown over 15 years of HFCs, to make implementation of the AIM Act a top priority for EPA under your leadership?

Mr. Regan. Yes. First of all, thank you and the other members for your leadership on that. HFCs is such an important topic.

Senator Carper. What is it worth in terms of climate change and temperature? Is it half a degree Celsius, just this one thing, right?

Mr. Regan. It is huge. It is very significant. You guys have done the heavy lifting, and it is our job to do the execution and implementation of that law.

Senator Carper. Great. Thanks so much.

Madam Chair, I ask unanimous consent to add to the record, to place a tribe's support for the Biden executive order into the record. I would also ask unanimous consent, if I could, to place into the record all materials, a catch-all statement, to insert all materials into the record. It is going to be a pretty big record. A variety of materials including news

articles, letters from stakeholders, reports, fact sheets and other materials that relate to today's nomination hearing for Secretary Regan to be Administrator of the EPA.

Senator Capito. Without objection.

[The referenced information follows:]

Senator Carper. And let me just say again, thank you so much. You have been a splendid Chairman.

Senator Capito. However brief it is.

[Laughter.]

Senator Carper. There is nothing like going out on top.

Senator Capito. Yes.

Senator Carper. Not to fall out of the park, it makes me even more excited about working with you and our colleagues in the years to come.

Mr. Regan, Michael, you did a great job here today. We are proud of you. I could barely see your wife's lips move when you spoke. We very much welcome her and your son, Matthew, to our family. Hopefully, we will be able to convince all of our colleagues to vote for you and get you confirmed so you can go to work. Thank you so much. God bless you.

Mr. Regan. Thank you.

Senator Capito. Thank you. I have just a few wrap-up questions for my second round. I told you at the end of my first round that I wanted to go back and talk about your experience in North Carolina with the regulations under Section 111(d) of the Clean Air Act, including the Clean Air Plan and the ACE Rule. You talked slightly about this.

Do you believe that Section 111(d) of the Clean Air Act provides the EPA with authority to regulate greenhouse gases

from a power plant only inside the fence line, or can EPA regulate beyond the individual plant fence line? How do you feel about that?

Mr. Regan. I would love to confer with my staff and with legal counsel to best determine how the courts have ruled on EPA's interpretation of that.

Senator Capito. As you know, the courts have kind of been on both sides of that issue. I think it would make a determination to whether you could force a power plant to switch generation sources and only require say, a coal plant or natural gas plant to come up with best practices. So it does have great impacts, obviously, in certain parts of the Country and certainly in my State as well.

Senator Gillibrand mentioned PFAS. You and I talked about this on the phone. I am very passionate about this issue, very concerned about the impacts of PFAS in the long term. I did press Administrator Wheeler to get to a clean drinking water standard, didn't get there. I agree with her, it didn't come, there is a pathway toward it. But I am like-minded with her in terms of the restlessness of getting there and the delay. So I would impress upon you how important I think that is to our Nation and to our Nation's younger, as they are living through the impacts of what this could have on drinking water.

So I would just ask a pledge to keep working with me and us

on that.

Mr. Regan. Absolutely.

Senator Capito. The last thing I would say is, and to Senator Carper, thank you for letting me have the joy of chairing my one committee hearing here. I know we are going to be able to work well together, and we anxious to go to the Transportation Bill.

But what I hear Senator Carper talk about electric vehicles, I think that is very aspirational. I saw where the President said he wants all thorough vehicles to be electric. And I think that is a great aim. But we have to realize here, we have to power these things with electricity. If we disenfranchise a lot of the power sources that we can make cleaner in the process, I am talking natural gas and coal, that now provides our baseline fuel power here in this Country, we are going to stick the plug in and try to power the vehicle and there is not going to be enough power. It is going to be a power surge in this Country if we get to this point of having electric vehicles.

So at some point we really have to look at, and we see certain States like California that have had outages, and have had to throttle different power sources because they are running low on a really hot day or maybe a really cold day or something of that nature. So I will just say in West Virginia we say coal

keeps the lights on, which it does, but it also powers a lot of vehicles, and it employs a lot of people. So again, when we talk about what the effects are of transitioning jobs and environmental justice and how it impacts people in all different communities, and Senator Booker is very passionate in this area, I think the experience that I experienced with the 1.8 million West Virginians in the past several years during the Obama Administration where now we see some of the same players, not you, you are a fresh face, very transparent, very ready to work, and I really welcome that.

Because I am concerned, because some of the same words and the same rhetoric was given to us, we are going to take care of you, we are going to retrain workers, they are going to learn to code, they are going to move, they are going to do this, they are going to do that. And we just got dropped on our heads.

It really, really hurt our part of the Country. I am sure you have seen some of that in certain parts of North Carolina in different industries.

So I just am hoping, I am hoping, and I am an optimistic person, so maybe I am even hoping toward believing, but I am hoping that it is not just another committee that is going to give the State \$2 million to have a committee meeting so we can figure out how we are going to make things better and then nothing ever happens and no change ever occurs.

So I want to be a partner in this. I want to be able to join with you and the rest of the members of the Senate, but particularly those hard-hit areas. Because it has been very, very difficult to try to rebound from.

So with that, I would say, unless you wanted to make a comment, I would say we are about to wrap up.

Senator Carper. Madam Chair, before we wrap up?

Senator Capito. Yes.

Senator Carper. One last thing. For a long time, Delaware did not use, when I was Governor, we didn't use the Economic Development Administration. We didn't use EDA. As it turns out, we didn't have, we hadn't produced the kind of comprehensive economic development plan that EDA was looking for in order to make it worthwhile to apply for grants.

One of the grants we obtained from EDA about a year or two ago was to enable, to take money raised by, believe it or not, auto dealers, by our poultry processors, an EDA grant. The idea was to work with our statewide community college, Delaware Technical Community College, to create something, a center for automotive excellence. We now have in Southern Delaware, in our county seat of Georgetown, a Delaware Technical Community College, top of the line to attract and retain folks to work for auto dealers, vehicles of the future, do the maintenance work, to work for the poultry industry trucks and so forth. We did it

without the EDA and worked with our community college.

I think there is something there in terms of retraining and retooling, we have jurisdiction over EDA.

Senator Capito. Right. That is the good news.

Senator Carper. We have jurisdiction. And the Biden proposal, Build Back Better, they asked for \$3 billion, \$3 billion for the EDA. We have never done more than about \$300 million in a year. Three billion dollars is a huge amount of money. I think there is a chance to partner in a more creative way to help meet the skill sets and needs in the marketplace, but also that a lot of folks, if given the opportunity to use or learn a new skill, they do it. And they are doing it, we are signed up fully at the Center for Automotive Excellence in Georgetown.

Senator Capito. Well, I look forward to the EDA discussion. I think that we have used the EDA actually really well in West Virginia most recently on a lot of different infrastructure development and job training and development. So I do think it has a place because it is for underserved and unserved areas. So I look forward to working with you on that.

I just want to really thank you. You have been an excellent witness. You have answered questions with a lot of honesty and your promise to get back to people is very much appreciated.

I think there are no more questions. Members may submit follow-up written questions for the record. They are called QFRs here. And then about 4:00 p.m. on Friday, February 5th, the nominee, I would ask Secretary Regan to respond to these questions by 10:00 a.m. on Monday, February the 8th. So there goes your weekend.

I would like to thank Secretary Regan for your time and testimony, and thank your beautiful family for being here with us.

I wish you the best of luck.

Mr. Regan. Thank you so much.

Senator Capito. Thank you.

We are adjourned.

[Whereupon, at 4:56 p.m., the hearing was adjourned.]