

OPENING STATEMENT
Ranking Member Brad Miller
Energy & Environment Subcommittee Hearing
“EPA’s Impact on Jobs and Energy Affordability: Understanding the Real Costs and Benefits of
Environmental Regulations”
Wednesday, June 6, 2012

Thank you, Chairman Harris.

I want to begin by congratulating OIRA Administrator Cass Sunstein on the birth of a daughter last week. The human gestation period is somewhat predictable, and I suspect that Mr. Sunstein has known for some time that his wife would give birth about when she did, and that explains some of his reluctance to agree to a date to testify from among the options that the majority offered.

But today’s hearing is one he probably doesn’t mind missing.

This committee certainly should inquire into the cost-benefit analysis of environmental regulations. I’ve been concerned about economic cost-benefit analysis for a long time. Placing a dollar value on human life in deciding the economic benefit of environmental regulations raises serious questions, both practical and moral. Should we really value the lives of older Americans less than younger Americans, as at least one of our witnesses apparently favors? And in a letter to Administrator Sunstein last fall, Chairman Harris asked: “In spite of the fact that most mortality associated with [particulate matter] happens in the population over 65 years of age, EPA puts the same value on mortality for all ages. In your view, is this practice appropriate?”

The Bush Administration briefly considered a “senior death discount” to justify weakening environmental regulations. By valuing the lives of Americans older than 70 at 37 percent less than the lives of other Americans, their analysis reduced the economic benefit of one air pollution regulation from \$77 billion to \$8 billion.

The Bush Administration recognized that, and dropped the idea of a “senior death discount” in economic cost benefit analysis. That still seems like the right decision to me.

We know that as a practical matter, if we forbid anything that might result in someone’s death, then all economic activity would grind to a halt. But putting a dollar value on lives, and valuing some lives more than others, raises profound moral questions.

I admit that deep philosophic discussions make me feel like I’m back in college, I’m in a dorm room late at night, three or four of us have had a few beers, and we’re sure that we’re considering issues that have gone largely unexamined by previous generations and that our insights are wise beyond our years.

But it’s certainly better to talk about these questions out loud and let the American people in on the discussion. They might not agree that old folks’ lives should be discounted. In fact, they might decide that Congress is really just more interested in pleasing special interests than in protecting the health of

our mothers and fathers, and any supposed philosophical justification for what Congress is doing is phony.

That's what the title to this hearing suggested we would discuss today.

If that was what this hearing was about, or even a discussion of economic cost-benefit analysis that was a notch or two less abstract or philosophical, the majority would have invited the EPA to provide a witness to explain how they do cost-benefit analysis. Instead, this hearing is one more forum for specific big industries to air their grievances about the EPA. We've heard again and again that the EPA is filled with authoritarian zealots bent on destroying jobs, raising energy costs, and otherwise making us all eat granola, grow beards and ride bicycles. We've heard repeatedly that the EPA really knows little of scientific methods and even less of economic analysis, often from witnesses with few apparent credentials as scientists or economists.

Given the disjointed nature of the list of grievances with the EPA aired today, the minority decided not to call a witness. If this subcommittee holds a future hearing for a serious, focused discussion of cost-benefit analysis, the communities affected by environmental exposures, and the practical and moral questions that are behind the Value of Statistical Life, we will certainly invite a witness. For today, I am submitting for the record letters and reports by groups and experts with the experience and knowledge to contribute to a thoughtful discussion of cost-benefit analysis.

I yield back.