



September 16, 2025

The Honorable Brett Guthrie  
Chairman, Energy & Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Frank Pallone  
Ranking Member, Energy & Commerce  
2323 Rayburn House Office Building  
Washington, DC 20515

The Honorable Gary Palmer  
Chairman, Environment Subcommittee  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Paul Tonko  
Ranking Member, Environment Subcommittee  
2323 Rayburn House Office Building  
Washington, DC 20515

Dear Congressman Guthrie, Congressman Palmer, Congressman Pallone and Congressman Tonko:

The American Lung Association is strongly opposed to policies that are scheduled to be debated in a legislative hearing titled *“From Gridlock to Growth: Permitting Reform Under the Clean Air Act.”* The Clean Air Act is approaching its 55<sup>th</sup> anniversary this year. This bipartisan, landmark law has been responsible for decades of improvements in air quality and has saved lives. Despite this progress, air pollution still kills and leaves many people suffering from otherwise preventable disease, showing that more progress under the Clean Air Act is needed. Bills under consideration at this hearing will weaken critical Clean Air Act protections that safeguard the public’s health.

The **New Source Review Permitting Improvement Act (HR 161)** would allow facilities to emit more pollution into communities. The bill would significantly narrow the scope of NSR requirements, with critical protections such as pollution controls, offsets and air quality analyses kicking in only if a facility exceeded its maximum capacity to emit. This extreme approach would overturn decades of Clean Air Act safeguards and lead to significant increases in actual pollution levels, harming local communities. This would mean more asthma attacks in kids, more heart attacks and strokes and increased risk of premature death.

The **Fire Improvement and Reforming Exceptional Events Act** and the **Foreign Emissions and Nonattainment Clarification for Economic Stability Act** are both iterations of previous legislation that has been staunchly opposed by the health and medical community. The National Ambient Air Quality Standards (NAAQS) are a critical tool for continuing to reduce unhealthy levels of air pollution and save lives. If an area is determined to have pollution levels in excess of those standards, pollution cleanup measures are then required and enforced. If special circumstances led

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to the pollution exceedances, such as wildfires, the Clean Air Act already provides pathways for exceptions. Additionally, EPA actions since the adoption of the Exceptional Events Rule in 2016 have stated that prescribed fire can be eligible for treatment as an exceptional event. The Clean Air Act also contains pathways during implementation of a NAAQS for states to address interstate and international transport of pollution. This legislation is unnecessary and would lead to overly broad exemptions being granted, resulting in pollution levels that should have been cleaned up.

The **Reducing and Eliminating Duplicative Environmental Regulations Act** and the **Air Permitting Improvements to Protect National Security Act** would limit regulatory oversight, undermining transparency and community input in decisions that would negatively affect health outcomes. Loosening permitting requirements and allowing for Presidential exemptions of pollution in areas that are already facing higher health burdens from poor air quality will drive up healthcare costs for communities.

The Clean Air Act is one of the most effective public health laws in American history. Its protections must be preserved—not rolled back under the guise of efficiency. Clean, breathable air is essential to a healthy, thriving population. We strongly urge the Committee to reject these bills as currently drafted and prioritize the health of all Americans—especially those most vulnerable to the effects of air pollution, including children, the elderly and people with lung disease.

