



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 7, 2011
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 1633 – Farm Dust Regulation Prevention Act

(Rep. Noem, R-SD, and 121 cosponsors)

The Administration strongly opposes H.R. 1633. As drafted, this bill would create serious problems for implementing Clean Air Act (CAA) public health protections that have been in place for years while adding uncertainty for businesses and States. The bill therefore, goes far beyond its stated intent of prohibiting the Environmental Protection Agency (EPA) from tightening national standards for coarse particles, which the Administration has repeatedly explained that it has no intention of doing.

This ambiguously written bill would create high levels of regulatory uncertainty regarding emission control requirements that have been in place for years. Specifically, the bill's exclusion from the entire CAA of a new class of air pollutants called "nuisance dust" (an imprecise and scientifically-undefined term) could be used to roll back existing public health protection limiting pollution from mining operations, industrial activities, and possibly other sources. The bill also raises serious issues about whether EPA could continue to implement the existing health-based fine and coarse particle programs, which play a vital, ongoing role in preventing adverse health effects of air pollution including premature deaths, childhood asthma attacks and other respiratory problems.

Further, this bill is unnecessary, as it purports to address a problem that does not exist. Responding to false claims that EPA intended to tighten regulation of coarse particles EPA has repeatedly explained that it plans to retain the existing coarse particulate standard, which originally went into effect in 1987 and remains adequately protective of public health.

This Administration remains committed to commonsense approaches to improving air quality across the country and preserving the competitiveness of every economic sector. Because H.R. 1633 is not only unnecessary, but also could have significant adverse public health consequences, the Administration strongly opposes the bill.

If H.R. 1633 were presented to the President, his senior advisors would recommend that he veto the bill.

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