

February 16, 2026

Testimony on HB 663, Department of the Environment - Federal Policy on Greenhouse Gas Emissions – Reporting

Position: Support

Hearing Date: February 18, 2026

Dear Chair Korman and Members of the House Environment and Transportation Committee:

I am writing as an individual resident and registered voter in Maryland to express my strong support for HB 663, Department of the Environment - Federal Policy on Greenhouse Gas Emissions – Reporting.

Let me briefly describe the background to my views on this legislation. For nearly 20 years, I served on the staff of the United States Senate, principally on the staff of its Committee on Energy and Natural Resources. For 14 of those 20 years (1999-2012), I was the Democratic Staff Director of that Committee. I am very familiar with reporting requirements, having drafted, advised on, and helped in the process of enacting many such requirements, as well as helping in the process of repealing reporting requirements that had outlived their usefulness. Prior to my service on the staff of the United States Senate, I was in the U.S. Department of Energy, where I saw the other side of reporting requirements, as an employee of an agency that had many such requirements.

In my view, this is a well-drafted and timely reporting requirement, and very deserving of a favorable report by the Committee and of enactment by the General Assembly.

On February 12, the Environmental Protection Agency published a final rule rescinding the 2009 Greenhouse Gas Endangerment Finding, which was the legal foundation for its regulation of emissions from new motor vehicles. As stated by the EPA on its website as of today, “Absent this finding, EPA lacks statutory authority under Section 202(a) of the Clean Air Act to prescribe standards for GHG emissions. Therefore, EPA also finalized the repeal of all subsequent GHG emission standards from its regulations for light-, medium-, and heavy-duty on-highway vehicles and engines.”

I am not alone in seeing this latest step as just one more piece of unmistakable evidence that the Trump Administration will make every effort it can to upend and frustrate sound climate policy, with no regard to the effects internationally, nationally, or at the state-level, such as in Maryland. And policies such as these will pose complex challenges to the Maryland Department of the Environment and other state agencies charged under Maryland law with protecting our environment. This reporting requirement will assist the General Assembly in remaining informed in a timely way of Maryland’s response to a circumstance that is unprecedented in my 70-year memory. And, in my past professional experience, I have seen judicious reporting requirements play a very useful role in crystallizing and advancing interagency discussions on complex topics and policy questions. A notable example that comes to mind is the U.S. National Climate

Assessment, an amazingly useful exercise that would certainly (in my view) not come together on a quadrennial basis, but for the requirement for such a report in law.

As HB 663 recognizes, there will be strong legal challenges to the wrongheaded decisions of the Trump Administration by States, localities, and environmental groups, and the courts may well reverse these misguided actions and policies. For example, the effort of several Republican Administrations to overturn the Clinton Administration's Roadless Rule protecting wilderness areas of our National Forests were overturned on several occasions by the Federal courts, resulting in the reinstatement of the original rule. So, HB 663 wisely focuses on the response to those Trump Administration actions and policies that survive such legal challenges. And, while the courts will be a bulwark against some misguided policies, they will not be a bulwark against all, so Maryland will need to have a sound response strategy to protect its environment and the public health of its citizens.

Finally, section 2 of HB 663 automatically repeals this reporting requirement as of May 31, 2029, requiring the General Assembly to enact an extension or replacement of the requirement, based on the character and actions of the next Administration towards the environment.

In sum, my view is that HB 663 is worthy of enactment (1) because of the unprecedented assault on environmental regulations now underway at the Federal level that demands strong and internally coordinated responses by the State of Maryland, (2) because it is judicious in its scope of requiring reports only on responses to Federal actions that have survived judicial review, and (3) because it contains a sunset provision that ensures that the reports continue only if the General Assembly deems them necessary after the current Administration has ended.

For these reasons, I strongly urge a favorable report on HB 663.

Thank you for your consideration of my views.

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