

119TH CONGRESS
2D SESSION

H. R. 9615

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 2026

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To support the recycling and recovery of lithium-ion
batteries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Battery Recycling for
3 America’s Competitive Economy Act” or the “BRACE
4 Act”.

5 **SEC. 2. END OF LIFE LITHIUM-ION BATTERY MANAGEMENT.**

6 (a) DEFINITIONS.—In this Act:

7 (1) ADMINISTRATOR.—The term “Adminis-
8 trator” means the Administrator of the Environ-
9 mental Protection Agency.

10 (2) BATTERY.—The term “battery” has the
11 meaning given such term in section 273.9 of title 40,
12 Code of Federal Regulations (or any successor regu-
13 lations).

14 (3) DESTINATION FACILITY.—The term “des-
15 tination facility” has the meaning given such term
16 in section 273.9 of title 40, Code of Federal Regula-
17 tions (or any successor regulations).

18 (4) LARGE QUANTITY HANDLER OF UNIVERSAL
19 WASTE.—The term “large quantity handler of uni-
20 versal waste” has the meaning given such term in
21 section 273.9 of title 40, Code of Federal Regula-
22 tions (or any successor regulations).

23 (5) LITHIUM-ION BATTERY.—The term “lith-
24 ium-ion battery” means a battery that uses the
25 movement of lithium ions between two electrodes to
26 store and release energy.

1 (b) INTERIM REQUIREMENTS FOR LITHIUM-ION BAT-
2 TERIES.—Until the date on which the Administrator
3 issues the rule pursuant to subsection (c), in lieu of the
4 requirements described in section 273.60(a) of title 40,
5 Code of Federal Regulations (or any successor regula-
6 tions), a destination facility that stores lithium-ion bat-
7 teries prior to recycling such lithium-ion batteries shall
8 comply with—

9 (1) the requirements described in sections
10 273.33(a)(1), 273.35, 273.36, and 273.37 of title
11 40, Code of Federal Regulations (or any successor
12 regulations), which shall apply as if the destination
13 facility were a large quantity handler of universal
14 waste; and

15 (2) the requirements described in section
16 273.60(b) of title 40, Code of Federal Regulations
17 (or any successor regulations), which shall apply as
18 if the destination facility did not store the lithium-
19 ion batteries prior to recycling such lithium-ion bat-
20 teries.

21 (c) UNIVERSAL WASTE RULEMAKING FOR LITHIUM-
22 ION BATTERIES.—

23 (1) IN GENERAL.—Not later than 18 months
24 after the date of enactment of this Act, the Adminis-

1 trator shall issue a rule regarding the management
2 of lithium-ion batteries as universal waste.

3 (2) CONTENTS.—In issuing the rule pursuant
4 to paragraph (1), the Administrator shall consider
5 including in such rule, in addition to any other issue
6 that arises as part of the notice and comment period
7 for such rule, the following:

8 (A) Universal waste requirements specially
9 tailored for lithium-ion batteries.

10 (B) Elements of the interim requirements
11 for lithium-ion batteries specified in subsection
12 (b), as appropriate.

13 (C) Any additional regulatory changes to
14 support the recycling of lithium-ion batteries
15 and recovery of critical minerals, while main-
16 taining protections for health and the environ-
17 ment.

18 (D) Additional safety requirements needed
19 to address gaps in existing protections.

20 (3) RULE OF CONSTRUCTION.—Nothing in this
21 subsection shall be construed to limit any future
22 rulemaking of the Environmental Protection Agency
23 regarding lithium-ion batteries.

1 **SEC. 3. TECHNICAL UPDATES TO THE MERCURY-CON-**
2 **TAINING AND RECHARGEABLE BATTERY**
3 **MANAGEMENT ACT.**

4 Section 104(a) of the Mercury-Containing and Re-
5 chargeable Battery Management Act (42 U.S.C.
6 14323(a)) is amended by striking “the regulations pro-
7 mulgated by the Environmental Protection Agency at 60
8 Fed. Reg. 25492 (May 11, 1995), as effective on May 11,
9 1995” and inserting “part 273 of title 40, Code of Federal
10 Regulations (or any successor regulations)”.

Passed the House of Representatives September 15,
2026.

Attest: KEVIN F. MCCUMBER,
Clerk.