

BUSINESS MEETING

MEETING

BEFORE THE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

FEBRUARY 5, 2025

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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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SHELDON WHITEHOUSE, Rhode Island, *Ranking Member*

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BUSINESS MEETING

WEDNESDAY, FEBRUARY 5, 2025

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC.

The committee met, pursuant to notice, at 10:34 a.m. in room 406, Dirksen Senate Office Building, Hon. Shelley Moore Capito (chairman of the committee) presiding.

Present: Senators Capito, Whitehouse, Cramer, Lummis, Curtis, Graham, Sullivan, Ricketts, Wicker, Husted, Merkley, Kelly, Padilla, Blunt Rochester, Alsobrooks.

OPENING STATEMENT OF HON. SHELLEY MOORE CAPITO, U.S. STATES SENATOR FROM THE STATE OF WEST VIRGINIA

Senator CAPITO. Good morning to everybody. Committee members, thank you for being here. I know there is a lot going on this morning, so I thought it would be best to go ahead and call this business meeting to order as quickly as we can, now that we have critical mass here.

I want to thank Ranking Member Whitehouse and his staff for working with me and my staff to bring two bipartisan bills before the committee today. I would also like to thank Senator Boozman for his leadership on the bipartisan recycling legislation we will consider.

The agenda for this meeting is to hold three votes, after Ranking Member Whitehouse and I give our opening remarks. The first vote will be to approve the committee rules and budget resolution. The next two votes will be to approve bills that previously passed this committee with unanimous support.

Today we will consider S. 347, the Brownfield Reauthorization Act of 2025. This bill, which passed unanimously out of the committee last Congress, will continue the critical work of the Environmental Protection Agency's Brownfields program, which I am sure is active in everyone's State.

Since first being authorized in 2002, the Brownfield program has been a resounding success story for our economy and for the environment. Cleaning up abandoned and polluted brownfields is a powerful economic development tool and revitalizes rural and economically challenged communities where it is needed most.

Despite the program's many achievements, the rigorous and complex grant application process remains a key challenge. Rural and underserved communities lack the resources needed to compete with larger entities, putting them in an unfair position.

Our bill streamlines the application process to level that playing field. The legislation also modernizes the program's grant amounts to match current construction costs and project sizes, aligning them with the reality of doing business today.

I look forward to advancing the Brownfields Reauthorization Act of 2025 and urge my colleagues to join me in supporting this passage.

Next, we will consider S. 351, the Strategies to Eliminate Waste and Accelerate Recycling Development Act, called the STEWARD Act now. This legislation combines two separate recycling bills that we had last Congress that were passed unanimously, not just by this committee, but also unanimously out of the U.S. Senate.

The STEWARD Act reflects years of collaboration and input from members of both chambers on both sides of the aisle.

These efforts result in a bipartisan agreement that nearly became law at the end of last Congress. The STEWARD Act that we will vote on today preserves that bipartisan language. For too many Americans, recycling remains out of reach, either because facilities do not exist in their communities or because the infrastructure to make recycling economically feasible is not in place. The STEWARD Act aims to close those gaps by ensuring that recycling services are available to all communities.

The bill also recognizes that to solve a problem, you need to measure and understand it first. The data provisions in the STEWARD Act will empower decisionmakers to track progress, identifies areas needed for improvement, and make informed decisions that will drive real change in our Nation's recycling system.

With these two bills, the committee can begin this Congress passing legislation through the well-established bipartisan tradition that has characterized so much of this committee's success. I urge my colleagues to support both of these bipartisan bills.

Also on the agenda, as I mentioned, is the necessary housekeeping items to run the committee, our rules and our budget. My staff reviewed the previous rules of the committee, and in coordination with Ranking Member Whitehouse's staff, we have proposed some updates and streamlining edited for the rules.

The three main changes to the rules are providing for receiving sworn testimony from witnesses, having transcripts kept for business meetings, and setting a clear process for issuing subpoenas, either by agreement of the Chairman and the Ranking Member, or by a majority vote of the committee.

Passage of our committee funding resolution is necessary to ensure that we are funded to continue the good work of this committee into the 119th Congress. Our new budget will ensure that the committee has the resources to develop a Surface Transportation Reauthorization bill, work toward bipartisan solutions to fix our environmental review and permitting processes, reauthorize the Toxic Substances Control Act, and continue our vital work on oversight and implementation of the laws within the jurisdiction of the committee.

I urge my colleagues to support our committee rules and budget resolution for the 119th. I would like to join my Ranking Member with welcoming our new member from Ohio, Senator Husted. Welcome. We are happy to have you here.

With that, I will turn to the Ranking Member.

**OPENING STATEMENT OF HON. SHELDON WHITEHOUSE,
U.S. SENATOR FROM THE STATE OF RHODE ISLAND**

Senator WHITEHOUSE. We should also add our gratitude to Senator Moran for his 2 weeks of diligent service to the committee.

[Laughter.]

Senator CAPITO. Yes, he worked darned hard while he was here.

Senator WHITEHOUSE. During his time, he made a real contribution.

First, I will thank Chair Capito for this business meeting and for moving two bipartisan bills quickly out of committee. I am particularly pleased to join the Chair in the STEWARD Act which should help address our recycling needs. We are living through a plastic pollution crisis. Every minute, a garbage truck worth of plastic gets dumped into our oceans.

In my home State of Rhode Island, there are more than 16 trillion pieces of microplastic in just the top two inches of the floor of Narraganset Bay. That is nearly 1,000 tons of plastic. Microplastics and nano plastics have been turning up in a lot of unwelcome places, like human blood, human hearts, human brains, human lungs, breast milk, and the placentas of pregnant women.

We are still learning how plastics affect human health. The effects potentially include cancer, diabetes, heart disease, reproductive disorders, and neurological impairment. Our Country is handling disposal of plastic waste abysmally. A National Academy study required by Save Our Seas 2.0, a bill that Senator Sullivan and I led, found that the U.S. is the world's biggest producer of plastic waste, yet the recycling rate for plastics in the U.S. lies somewhere between 5 percent and 9 percent. That blue bin is basically a fake.

In light of the vast scale of the plastic pollution crisis, I want to stress that the STEWARD Act is just one step toward solving a huge and complicated problem. There is a lot more we need to do to improve recycling rates and reduce the amount of plastic seeping into our bodies and fouling the environment.

I look forward to working with Chair Capito and other members of the committee, particularly including Senator Merkley and my long-time plastics counterpart, Senator Sullivan, to continue work on this bill once it gets out of committee before it gets to a vote on the floor.

I would be remiss not to make clear, given the moment that we are in, that our ability to work together on future legislation will be highly dependent on whether President Trump and the executive branch respect the constitutional order and statutory law, and end their illegal funding freeze and the impoundment threats. The Appropriations Clause of the Constitution is clear that Congress determines how much money the government will spend, and for what purposes.

With respect to already-obligated funds, Federal law and regulations require that those moneys be disbursed absent a real showing of wrongdoing on the part of the recipient. As if it weren't bad enough that this lawless administration is usurping congressional authority, it now appears it is ignoring the Judicial Branch as well.

Not one, but two Federal courts have ordered the administration to end this illegal freeze. Yet, we are hearing across the Country of projects and programs that remain frozen.

In Rhode Island, our State government reports that moneys awarded to it under EPA's solar for All program remain frozen. Our transit agencies have zero clarity about whether moneys awarded under various grant programs will come through. It appears that the administration has retreated behind a fog bank of non-communication and non-response so that there is no individual saying no who can be targeted with a court order while the funding remains frozen. That is not a fair way to treat courts and it is not the right way constitutionally to behave.

In Massachusetts, grant money awarded under an EPA Brownfields program, of all things, remains frozen. In New Mexico, moneys awarded under EPA tribal grants to install heating and air conditioning and prevent flooding at a school are still frozen. These are but a few of many examples. I am sure you have all heard examples from your States as well.

This is wrong and it is harming our constituents. Roads and bridges will not be fixed, endangering public safety. Programs to remove lead from drinking water and cleanup heavily polluted communities will not move forward, endangering public health and economic development. Renewable energy will not be deployed, preventing improvements in air quality and ensuring that our constituents remain vulnerable to price shocks from volatile oil and gas markets.

This is also wrong because it represents a true breakdown of our constitutional system of government. I have worked with many of my Republican colleagues here on legislation. I have worked with the Chair on nuclear and carbon capture bills. I have worked with Senator Cramer on legislation to measure our carbon advantage in manufacturing. I have worked with Senator Wicker on anti-doping legislation. I have worked with Senator Graham on legislation targeting corrupt oligarchs. As I mentioned, I have worked with Senator Sullivan on plastics legislation.

I am someone who wants to get things done, and I started this Congress excited about the bipartisan legislative possibilities for permitting, highways and transit, water infrastructure, nuclear, carbon capture, geothermal and carbon tariffs, to name just a few.

I do not say this lightly, and I believe I speak for my side of the dais and indeed the whole Democratic Caucus when I say that our appetite to move bipartisan legislation will disappear if this funding freeze does not end and the impoundment threats cease.

I appreciate very much that the Chair has publicly defended Congress' power of the purse, and stated that obligated funds should be disbursed. I further appreciate that she and her staff have worked with me and my staff to find a path forward on matters affecting my constituents.

I hope that all of us can agree that EPA and the other agencies we oversee must provide us answers. That was the opening question for Lee Zeldin as a matter of form in this committee. Well, on Friday, all the members of the committee wrote to Administrator Zeldin asking for answers about the funding freeze. My staff has

since followed up twice with no response. We are waiting for answers; so are our constituents. We and they deserve better.

We are also writing to try to get more information about the effort to induce EPA employees to quit with an offer that has neither statutory authority nor appropriated funds to back it up. I think that is called fraud in the inducement.

There are Potemkin parliaments in autocratic regimes around the world. The Russian Duma comes to mind as a classic example. I think we can all agree that is an example to avoid.

This issue is bigger than Democrats versus Republicans. It goes to the core operations of our constitutional republic. Let us work together to end this illegal funding freeze and preserve our constitutional order.

Thank you, Madam Chair.

Senator CAPITO. Thank you, thanks to the Ranking Member.

I know that Senator Blunt Rochester wants to speak on the Brownfields bill, but if she would hold while we go ahead and take the votes, while we have critical mass here, that would be appreciated.

We have a quorum now present. We are going to proceed to the voting portion of the business meeting. I thank you for that.

I will recognize any member who would like to speak after the voting is complete.

The Ranking Member and I have agreed to consider the committee rules package and the committee funding resolution en bloc. We have also agreed to consider the Capito Substitute Amendment to the committee funding resolution as adopted. The substitute was just a minor typo change.

I move to approve the committee funding resolution as amended by the substitute amendment, and the committee rules en bloc. Is there a second?

Senator WHITEHOUSE. Second.

Senator CAPITO. All those in favor, say aye.

[Chorus of ayes.]

Senator CAPITO. All those opposed, no.

[No audible response.]

Senator CAPITO. In the opinion of the Chair, the ayes have it. The committee rules are approved and the committee funding resolution will be favorably reported.

I note for the record that a quorum of the committee is present at the time of this vote.

I will now call up S. 347, the Brownfields Reauthorization Act of 2025.

[The text of S. 347 follows:]

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S.L.C.

II

Calendar No. _____

119TH CONGRESS
1ST SESSION**S. 347**

[Report No. 119-_____]]

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to reauthorize brownfields revitalization funding, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2025

Mrs. CAPITO (for herself and Ms. BLUNT ROCHESTER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

_____, (legislative day, _____), _____

Reported by Mrs. CAPITO, without amendment

A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to reauthorize brownfields revitalization funding, and for other purposes.

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 “Brownfields Reauthor-
3 ization Act of 2025”.

4 **SEC. 2. IMPROVING SMALL AND DISADVANTAGED COMMU-
5 NITY ACCESS TO GRANT OPPORTUNITIES.**

6 Section 104(k) of the Comprehensive Environmental
7 Response, Compensation, and Liability Act of 1980 (42
8 U.S.C. 9604(k)) is amended—

9 (1) in paragraph (1)(I), by inserting “or
10 501(c)(6)” after “section 501(c)(3)”;

11 (2) in paragraph (5)(E)(i), by striking “up to
12 5 percent of the”;

13 (3) in paragraph (6)(C), by striking clause (ix)
14 and inserting the following:

15 “(ix) The extent to which the appli-
16 cant has a plan—

17 “(I) to engage a diverse set of
18 local groups and organizations that ef-
19 fectively represent the views of the
20 local community that will be directly
21 affected by the proposed brownfield
22 project; and

23 “(II) to meaningfully involve the
24 local community described in sub-
25 clause (I) in making decisions relating
26 to the proposed brownfield project.”;

1 (4) in paragraph (10)(B)(iii)—
 2 (A) by striking “20 percent” and inserting
 3 “10 percent”;
 4 (B) by inserting “the eligible entity is lo-
 5 cated in a small community or disadvantaged
 6 area (as those terms are defined in section
 7 128(a)(1)(B)(iv)) or” after “unless”; and
 8 (C) by inserting “, in which case the Ad-
 9 ministrator shall waive the matching share re-
 10 quirement under this clause” before “; and”;
 11 and
 12 (5) in paragraph (13), by striking “2019
 13 through 2023” and inserting “2025 through 2030”.

14 **SEC. 3. INCREASING GRANT AMOUNTS.**

15 Section 104(k)(3)(A)(ii) of the Comprehensive Envi-
 16 ronmental Response, Compensation, and Liability Act of
 17 1980 (42 U.S.C. 9604(k)(3)(A)(ii)) is amended by strik-
 18 ing “\$500,000” and all that follows through the period
 19 at the end and inserting “\$1,000,000 for each site to be
 20 remediated.”

21 **SEC. 4. STATE RESPONSE PROGRAMS.**

22 Section 128(a) of the Comprehensive Environmental
 23 Response, Compensation, and Liability Act of 1980 (42
 24 U.S.C. 9628(a)) is amended—

4

1 (1) in paragraph (1)(B)(i), by striking “or en-
 2 hance” and inserting “, enhance, or implement”;
 3 and

4 (2) by striking paragraph (3) and inserting the
 5 following:

6 “(3) AUTHORIZATION OF APPROPRIATIONS.—
 7 There are authorized to be appropriated to carry out
 8 this subsection—

9 “(A) \$50,000,000 for fiscal year 2025;
 10 “(B) \$55,000,000 for fiscal year 2026;
 11 “(C) \$60,000,000 for fiscal year 2027;
 12 “(D) \$65,000,000 for fiscal year 2028;
 13 “(E) \$70,000,000 for fiscal year 2029; and
 14 “(F) \$75,000,000 for fiscal year 2030.”.

15 **SEC. 5. REPORT TO IDENTIFY OPPORTUNITIES TO STREAM-**
 16 **LINE APPLICATION PROCESS; UPDATING**
 17 **GUIDANCE.**

18 (a) REPORT.—Not later than 1 year after the date
 19 of enactment of this Act, the Administrator of the Envi-
 20 ronmental Protection Agency (referred to in this section
 21 as the “Administrator”) shall submit to Congress a report
 22 that evaluates the application ranking criteria and ap-
 23 proval process for grants and loans under section 104(k)
 24 of the Comprehensive Environmental Response, Com-
 25 pensation, and Liability Act of 1980 (42 U.S.C. 9604(k)),

1 which shall include, with respect to those grants and
2 loans—

3 (1) an evaluation of the shortcomings in the ex-
4 isting application requirements that are a recurring
5 source of confusion for potential recipients of those
6 grants or loans;

7 (2) an identification of the most common
8 sources of point deductions on application reviews;

9 (3) strategies to incentivize the submission of
10 applications from small communities and disadvan-
11 tagged areas (as those terms are defined in section
12 128(a)(1)(B)(iv) of that Act (42 U.S.C.
13 9628(a)(1)(B)(iv)); and

14 (4) recommendations, if any, to Congress on
15 suggested legislative changes to the ranking criteria
16 that would achieve the goal of streamlining the ap-
17 plication process for small communities and dis-
18 advantaged areas (as so defined).

19 (b) UPDATING GUIDANCE.—Not later than 1 year
20 after the date of enactment of this Act, the Administrator
21 shall update the guidance relating to the application rank-
22 ing criteria and approval process for grants and loans
23 under section 104(k) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act of 1980 (42

1 U.S.C. 9604(k)) to reduce the complexity of the applica-
2 tion process while ensuring competitive integrity.

3 **SEC. 6. BROWNFIELD REVITALIZATION FUNDING FOR**
4 **ALASKA NATIVE TRIBES.**

5 Section 104(k)(1) of the Comprehensive Environ-
6 mental Response, Compensation, and Liability Act of
7 1980 (42 U.S.C. 9604(k)(1)) is amended—

8 (1) in subparagraph (G), by striking “other
9 than in Alaska”; and

10 (2) by striking subparagraph (H) and inserting
11 the following:

12 “(H) a Regional Corporation or a Village
13 Corporation (as those terms are defined in sec-
14 tion 3 of the Alaska Native Claims Settlement
15 Act (43 U.S.C. 1602));”.

Senator CAPITO. Does any Senator wish to be recognized to offer an amendment?

Senator MARKEY. Madam Chair?

Senator CAPITO. Senator Markey.

Senator MARKEY. Thank you, Madam Chair. I thank the Chair, and I appreciate your efforts to move forward these bills. Looking at the chaos in the executive branch caused by Elon Musk and his unelected and unqualified minions who are running amok in every one of the agencies tasked with executing the laws passed by Congress and delivering services to our constituents, I have to ask, what are we doing here?

Brownfields money was shut off unilaterally by the Trump Administration last week. The hard-working men and women who serve their communities by cleaning up toxic waste weren't sure if they would get a paycheck. The communities counting on the economic revival weren't sure if they would get stuck with toxic legacies for more decades to come, and all because the Trump Administration as managed under the thumb of the unelected billionaire Elon Musk illegally stopped programs to clean up our environment that were authorized and appropriated by Congress on a bipartisan basis.

Yet, we are here, working diligently on behalf of all those who elected us to office, to reauthorize and improve that Brownfields program, knowing that this administration might just decide to ignore the law again tomorrow.

It is more than just Brownfields. The Environmental Protection Agency was forced to stop providing funding to programs authorized and appropriated by Congress to get toxic pollution like PFAS out of our drinking water, to fight air pollution, to help schools buy newer, healthier school buses, and to lower energy bills and make people's homes safer and more comfortable places to live.

Judges across the Country have stepped in against the Trump Administration's illegal funding cutoff, but the chaos continues, the uncertainty continues. Frankly, our constitutional crisis continues. Why are we working together, collaboratively, across the aisle, for people in all 50 States, to pass new laws if the Trump Administration is going to pick and choose which laws it will follow? What is the point of Congress which holds the power of the purse and all legislative powers under Article One of the Constitution if our laws can be ripped up on the whims of one single unelected billionaire?

I know my colleagues may not always agree with every law on the books, and I know that you have voted against some of those programs. I do not like all the laws we have on the books, either. I do not think that means the Constitution does not apply to the laws I do not like or you do not like.

That is why I offered Markey Number 1 as the amendment to this bipartisan Brownfields Reauthorization. It simply states a Sense of Congress that the President has to fully follow the law and that funding can not be withheld once authorized and appropriated by Congress. If we pass laws on behalf of the American people, these laws should work on behalf of the American people.

I appreciate that Chair Capito and Ranking Member Whitehouse want the Environmental Protection Agency to function. I do believe you do. We were able to get answers for our Brownfields program

in Massachusetts so they can now keep operating, and thanks to our efforts, the court orders appear to be now working in unlocking funding for other programs that we passed in the Bipartisan Infrastructure Law and the Inflation Reduction Act. These are laws that came out of our committee, to clean up the air, the water, the land, in our communities.

We should not need a Sense of Congress in order for laws passed by Congress to be executed by the President. I am not calling this amendment up for a vote today, because the law itself should be enough. If the Trump Administration continues to illegally seize funding and unconstitutionally stop operating programs to clean up our communities and stop pollution, I simply do not see how we can let the committee work as if we are in business usual going forward. I cannot commit to that.

This is our first test: are we a nation of laws or not? Will the administration accept the fact that this committee has the ability to pass laws if they are signed by a President, any President, that they are the law of the land, and that an unelected billionaire cannot go in and arbitrarily select the parts of that law that are going to be enforced?

This is our first test. We are a nation of laws. We must pass that test before we can pass these bills. That is the sense that I have of where we are historically, because this is just one small subset of all of the laws that are on the books to protect all of the people.

It is not for one unelected billionaire to say, we are throwing entire agencies or entire sections of the law into a woodchipper because he does not like it. If he has individual objections, he should come. You have the majority; we should have the hearings. Then we can vote on whether we want to wipe out the Brownfields program or if we want to wipe out agency after agency.

That is fraudulent. They should identify the fraud and then bring it to us, and we will vote on it. Much of that fraud I will vote with you to root out. Not if it is going to be futile for us to act and then to wonder whether or not it will be implemented.

That is the moment in history which we are at, this committee is a part of that. My Sense of Congress resolution is that these laws should be upheld is absolutely central to our own common understanding of who we are and what we represent in the system.

Thank you, Madam Chair.

Senator CAPITO. Thank you, Senator Markey. I understand you have withdrawn your amendment; you are going to offer the amendment as stated.

Senator MARKEY. That is correct.

Senator CAPITO. I appreciate that, and I think that is why we are here, because the Brownfields program is important to all of us, as it was unanimously last year. There is very strong support.

My understanding, I think you alluded to this in your remarks, is that EPA as of Tuesday evening, the Brownfields program is not subject to the funding pause. I understand the concerns going forward. Our staffs have spoken about this issue. We have been working with you, I think for your particular project, to make sure it can move forward expeditiously.

I would also say in response to one of the comments the Ranking Member made, I too heard Administrator Zeldin say, as a former

Member of Congress, repeatedly, that he would respond to our letters, to our inquests, and to our requests for information. We had a lot of frustration over the last 4 years of all the unanswered inquiries that we had from our side of the aisle to the previous Administrator.

I will be, in my next conversation with the Administrator, he hasn't been sworn in yet, to make sure that he is much more responsive in a timely fashion. I appreciate that.

With that, I am going to call up the Brownfields bill. I move that the committee report the bill—oh, if there are any other amendments? I do not think so.

Is there a second on the Brownfields bill?

Senator WHITEHOUSE. Second.

Senator CAPITO. Wait a minute. Senator Sullivan, did you have something?

Senator SULLIVAN. Madam Chair, I just wanted to—

Senator CAPITO. Sorry about that.

Senator WICKER. Madam Chair, the Chair deferred on hearing Senator Blunt Rochester because there are other committees that need members present. The sense of the Chair was that we would vote and then hear debate.

Now, if we are going to have extended debate, we are going to have to notify other committees that members will—

Senator CAPITO. Okay, understanding that—

Senator WICKER. I propose that we go ahead and hear your motion.

Senator CAPITO. Okay, well, I called for amendments. Senator Markey had an amendment that he was going to put up and withdraw.

Senator SULLIVAN. Madam Chair, I will yield to my colleague from Mississippi and I will talk about my amendments that I was going to put forward but I will withdraw and talk about them after the vote.

Senator CAPITO. Much appreciated.

We will move forward with it, thank you, Senator Wicker, for bringing that forward. We will move forward with the committee report. Is there a second?

Senator WHITEHOUSE. Second.

Senator CAPITO. All those in favor, say aye.

[Chorus of ayes.]

Senator CAPITO. All those opposed, no.

[No audible response.]

Senator CAPITO. In the opinion of the Chair, the ayes have it. The legislation is favorably reported.

I note for the record that a quorum of the committee is present at the time of the vote.

Finally, I will call up S. 351, the Strategies to Eliminate Waste and Accelerate Recycling Deployment Act of 2025.

[The text of S. 351 follows:]

Calendar No. _____

119TH CONGRESS
1ST SESSION**S. 351**

[Report No. 119-_____]]

To establish a pilot grant program to improve recycling accessibility, to require the Administrator of the Environmental Protection Agency to carry out certain activities to collect and disseminate data on recycling and composting programs in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2025

Mrs. CAPITO (for herself, Mr. WHITEHOUSE, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

_____, (legislative day, _____), _____

Reported by Mrs. CAPITO, without amendment

A BILL

To establish a pilot grant program to improve recycling accessibility, to require the Administrator of the Environmental Protection Agency to carry out certain activities to collect and disseminate data on recycling and composting programs in the United States, and for other purposes.

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 “Strategies To Eliminate Waste and Accelerate Recycling Development Act of 2025” or the “STEWARD Act of 2025”.

5 **SEC. 2. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY IMPROVEMENTS.**

7 (a) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

11 (2) CURBSIDE RECYCLING.—The term “curbside recycling” means the process by which residential recyclable materials are picked up curbside.

15 (3) ELIGIBLE ENTITY.—The term “eligible entity” means—

17 (A) a State (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903));

20 (B) a unit of local government;

21 (C) an Indian Tribe; and

22 (D) a public-private partnership or entities seeking to establish a public-private partnership.

25 (4) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 (5) MATERIALS RECOVERY FACILITY.—

4 (A) IN GENERAL.—The term “materials
5 recovery facility” means a dedicated facility
6 where primarily residential recyclable materials,
7 which are diverted from disposal by a generator
8 and collected separately from municipal solid
9 waste, are mechanically or manually sorted into
10 commodities for further processing into speci-
11 fication-grade commodities for sale to end
12 users.

13 (B) EXCLUSION.—The term “materials re-
14 covery facility” does not include a solid waste
15 management facility that may process munic-
16 ipal solid waste to remove recyclable materials.

17 (6) PILOT GRANT PROGRAM.—The term “pilot
18 grant program” means the Recycling Infrastructure
19 and Accessibility Program established under sub-
20 section (b).

21 (7) RECYCLABLE MATERIAL.—The term “recy-
22 clable material” means a material that is obsolete,
23 previously used, off-specification, surplus, or inciden-
24 tally produced for processing into a specification-

1 grade commodity for which a reuse market currently
2 exists or is being developed.

3 (8) TRANSFER STATION.—The term “transfer
4 station” means a facility that—

5 (A) receives and consolidates recyclable
6 material from curbside recycling or drop-off fa-
7 cilities; and

8 (B) loads the recyclable material onto trac-
9 tor trailers, railcars, or barges for transport to
10 a distant materials recovery facility or another
11 recycling-related facility.

12 (9) UNDERSERVED COMMUNITY.—The term
13 “underserved community” means a community, in-
14 cluding an unincorporated area, without access to
15 full recycling services because—

16 (A) transportation, distance, or other rea-
17 sons render utilization of available processing
18 capacity at an existing materials recovery facil-
19 ity cost prohibitive; or

20 (B) the processing capacity of an existing
21 materials recovery facility is insufficient to
22 manage the volume of recyclable materials pro-
23 duced by that community.

24 (b) ESTABLISHMENT.—Not later than 18 months
25 after the date of enactment of this Act, the Administrator

1 shall establish a pilot grant program, to be known as the
2 “Recycling Infrastructure and Accessibility Program”, to
3 award grants, on a competitive basis, to eligible entities
4 to improve recycling accessibility in a community or com-
5 munities within the same geographic area.

6 (c) GOAL.—The goal of the pilot grant program is
7 to fund eligible projects that will significantly improve ac-
8 cessibility to recycling systems through investments in in-
9 frastructure in underserved communities through the use
10 of a hub-and-spoke model for recycling infrastructure de-
11 velopment.

12 (d) APPLICATIONS.—To be eligible to receive a grant
13 under the pilot grant program, an eligible entity shall sub-
14 mit to the Administrator an application at such time, in
15 such manner, and containing such information as the Ad-
16 ministrator may require.

17 (e) CONSIDERATIONS.—In selecting eligible entities
18 to receive a grant under the pilot grant program, the Ad-
19 ministrator shall consider—

20 (1) whether the community or communities in
21 which the eligible entity is seeking to carry out a
22 proposed project has curbside recycling;

23 (2) whether the proposed project of the eligible
24 entity will improve accessibility to recycling services

1 in a single underserved community or multiple un-
2 derserved communities; and

3 (3)(A) if the eligible entity is a public-private
4 partnership, the financial health of the private entity
5 seeking to enter into that public-private partnership;
6 or

7 (B) if the eligible entity is seeking to establish
8 a public-private partnership, the financial health of
9 the private entities that would participate in the
10 public-private partnership.

11 (f) PRIORITY.—In selecting eligible entities to receive
12 a grant under the pilot grant program, the Administrator
13 shall give priority to eligible entities seeking to carry out
14 a proposed project in a community in which there is not
15 more than 1 materials recovery facility within a 75-mile
16 radius of that community.

17 (g) USE OF FUNDS.—An eligible entity awarded a
18 grant under the pilot grant program may use the grant
19 funds for projects to improve recycling accessibility in
20 communities, including in underserved communities, by—

21 (1) increasing the number of transfer stations;
22 (2) expanding curbside recycling collection pro-
23 grams where appropriate; and

24 (3) leveraging public-private partnerships to re-
25 duce the costs associated with collecting and trans-

1 porting recyclable materials in underserved commu-
2 nities.

3 (h) PROHIBITION ON USE OF FUNDS.—An eligible
4 entity awarded a grant under the pilot grant program may
5 not use the grant funds for projects relating to recycling
6 education programs.

7 (i) MINIMUM AND MAXIMUM GRANT AMOUNT.—A
8 grant awarded to an eligible entity under the pilot grant
9 program shall be in an amount—

10 (1) not less than \$500,000; and

11 (2) not more than \$15,000,000.

12 (j) SET-ASIDE.—The Administrator shall set aside
13 not less than 70 percent of the amounts made available
14 to carry out the pilot grant program for each fiscal year
15 to award grants to eligible entities to carry out a proposed
16 project or program in a single underserved community or
17 multiple underserved communities.

18 (k) FEDERAL SHARE.—The Federal share of the cost
19 of a project or program carried out by an eligible entity
20 using grant funds shall be not more than 95 percent.

21 (l) REPORT.—Not later than 2 years after the date
22 on which the first grant is awarded under the pilot grant
23 program, the Administrator shall submit to Congress a re-
24 port describing the implementation of the pilot grant pro-
25 gram, which shall include—

1 (1) a list of eligible entities that have received
2 a grant under the pilot grant program;

3 (2) the actions taken by each eligible entity that
4 received a grant under the pilot grant program to
5 improve recycling accessibility with grant funds; and

6 (3) to the extent information is available, a de-
7 scription of how grant funds received under the pilot
8 grant program improved recycling rates in each com-
9 munity in which a project or program was carried
10 out under the pilot grant program.

11 (m) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—There is authorized to be
13 appropriated to the Administrator to carry out the
14 pilot grant program \$30,000,000 for each of fiscal
15 years 2025 through 2029, to remain available until
16 expended.

17 (2) ADMINISTRATIVE COSTS AND TECHNICAL
18 ASSISTANCE.—Of the amounts made available under
19 paragraph (1), the Administrator may use up to 5
20 percent—

21 (A) for administrative costs relating to car-
22 rying out the pilot grant program; and

23 (B) to provide technical assistance to eligi-
24 ble entities applying for a grant under the pilot
25 grant program.

1 **SEC. 3. RECYCLING AND COMPOSTING DATA COLLECTION.**

2 (a) DEFINITIONS.—

3 (1) IN GENERAL.—In this section:

4 (A) ADMINISTRATOR.—The term “Admin-
5 istrator” means the Administrator of the Envi-
6 ronmental Protection Agency.

7 (B) COMPOST.—The term “compost”
8 means a product that—

9 (i) is manufactured through the con-
10 trolled aerobic, biological decomposition of
11 biodegradable materials;

12 (ii) has been subjected to medium and
13 high temperature organisms, which—

14 (I) significantly reduce the viabil-
15 ity of pathogens and weed seeds; and

16 (II) stabilize carbon in the prod-
17 uct such that the product is beneficial
18 to plant growth; and

19 (iii) is typically used as a soil amend-
20 ment, but may also contribute plant nutri-
21 ents.

22 (C) COMPOSTABLE MATERIAL.—The term
23 “compostable material” means material that is
24 a feedstock for creating compost, including—

25 (i) wood;

26 (ii) agricultural crops;

10

- 1 (iii) paper, such as cardboard and
2 other paper products;
3 (iv) certified compostable products as-
4 sociated with organic waste;
5 (v) other organic plant material;
6 (vi) organic waste, including food
7 waste and yard waste; and
8 (vii) such other material that is com-
9 posed of biomass that can be continually
10 replenished or renewed, as determined by
11 the Administrator.

12 (D) INDIAN TRIBE.—The term “Indian
13 Tribe” has the meaning given the term in sec-
14 tion 4 of the Indian Self-Determination and
15 Education Assistance Act (25 U.S.C. 5304).

16 (E) RECYCLABLE MATERIAL.—The term
17 “recyclable material” means a material that is
18 obsolete, previously used, off-specification, sur-
19 plus, or incidentally produced for processing
20 into a specification-grade commodity for which
21 a reuse market currently exists or is being de-
22 veloped.

23 (F) RECYCLING.—The term “recycling”
24 means the series of activities—

11

1 (i) during which recyclable materials
2 are processed into specification-grade com-
3 modities and consumed as raw-material
4 feedstock, in lieu of virgin materials, in the
5 manufacturing of new products;

6 (ii) that may, with regard to recycla-
7 ble materials and prior to the activities de-
8 scribed in clause (i), include sorting, collec-
9 tion, processing, and brokering; and

10 (iii) that result, subsequent to proc-
11 essing described in clause (i), in consump-
12 tion by a materials manufacturer, includ-
13 ing for the manufacturing of new products.

14 (G) STATE.—The term “State” has the
15 meaning given the term in section 1004 of the
16 Solid Waste Disposal Act (42 U.S.C. 6903).

17 (2) DEFINITION OF PROCESSING.—In subpara-
18 graphs (E) and (F) of paragraph (1), the term
19 “processing” means any mechanical, manual, or
20 other method that—

21 (A) transforms a recyclable material into a
22 specification-grade commodity; and

23 (B) may occur in multiple steps, with dif-
24 ferent phases, including sorting, occurring at
25 different locations.

1 (b) REPORTS ON COMPOSTING AND RECYCLING IN-
2 FRASTRUCTURE CAPABILITIES.—

3 (1) IN GENERAL.—Subtitle D of the Solid
4 Waste Disposal Act (42 U.S.C. 6941 et seq.) is
5 amended by adding at the end the following:

6 **“SEC. 4011. REPORTS ON COMPOSTING AND RECYCLING IN-
7 FRASTRUCTURE CAPABILITIES.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) INCORPORATION OF CERTAIN TERMS.—
10 The terms ‘compost’, ‘compostable material’, ‘recy-
11 clable material’, and ‘recycling’ have the meanings
12 given the terms in section 3(a) of the Strategies To
13 Eliminate Waste and Accelerate Recycling Develop-
14 ment Act of 2025.

15 “(2) COMPOSTING FACILITY.—The term
16 ‘composting facility’ means a location, structure, or
17 device that transforms compostable materials into
18 compost.

19 “(3) INDIAN TRIBE.—The term ‘Indian Tribe’
20 has the meaning given the term in section 4 of the
21 Indian Self-Determination and Education Assistance
22 Act (25 U.S.C. 5304).

23 “(4) MATERIALS RECOVERY FACILITY.—

24 “(A) IN GENERAL.—The term ‘materials
25 recovery facility’ means a dedicated facility

1 where primarily residential recyclable materials,
 2 which are diverted from disposal by the gener-
 3 ator and collected separately from municipal
 4 solid waste, are mechanically or manually sort-
 5 ed into commodities for further processing into
 6 specification-grade commodities for sale to end
 7 users.

8 “(B) EXCLUSION.—The term ‘materials
 9 recovery facility’ does not include a solid waste
 10 management facility that may process munic-
 11 ipal solid waste to remove recyclable materials.

12 “(C) DEFINITION OF PROCESSING.—For
 13 purposes of this paragraph, the term ‘proc-
 14 essing’ has the meaning given the term in sec-
 15 tion 3(a)(2) of the Strategies To Eliminate
 16 Waste and Accelerate Recycling Development
 17 Act of 2025.

18 “(b) REPORT.—

19 “(1) IN GENERAL.—The Administrator shall re-
 20 quest information and data from, collaborate with,
 21 or contract with, as necessary and appropriate,
 22 States, units of local government, and Indian Tribes,
 23 for the provision, preparation, and publication of a
 24 report, or to expand work under the National Recy-
 25 cling Strategy to include information and data, on

1 compostable materials and efforts to reduce contami-
2 nation rates for recycling, including—

3 “(A) an evaluation of existing Federal,
4 State, and local laws that may present barriers
5 to implementation of composting strategies;

6 “(B) a description and evaluation of
7 composting infrastructure and programs within
8 States, units of local government, and Indian
9 Tribes;

10 “(C) an estimate of the costs and approxi-
11 mate land needed to expand composting pro-
12 grams; and

13 “(D) a review of the practices of manufac-
14 turers and companies that are moving to using
15 compostable packaging and food service ware
16 for the purpose of making the composting proc-
17 ess the end-of-life use of those products.

18 “(2) SUBMISSION.—Not later than 2 years
19 after the date of enactment of this section, the Ad-
20 ministrator shall submit to Congress the report pre-
21 pared under paragraph (1).

22 “(c) INVENTORY OF MATERIALS RECOVERY FACILI-
23 TIES.—Not later than 3 years after the date of enactment
24 of this section, and every 4 years thereafter, the Adminis-
25 trator, in consultation with relevant Federal agencies and

1 States, units of local government, and Indian Tribes,
2 shall—

3 “(1) prepare an inventory or estimate of mate-
4 rials recovery facilities in the United States, includ-
5 ing—

6 “(A) the number of materials recovery fa-
7 cilities in each State; and

8 “(B) a general description of the materials
9 that each of those materials recovery facilities
10 can process, including—

11 “(i) in the case of plastic, a descrip-
12 tion of—

13 “(I) the types of accepted resin,
14 if applicable; and

15 “(II) the packaging or product
16 format, such as a jug, a carton, or
17 film;

18 “(ii) food packaging and service ware,
19 such as a bottle, cutlery, or a cup;

20 “(iii) paper;

21 “(iv) aluminum, such as an aluminum
22 beverage can, food can, aerosol can, or foil;

23 “(v) steel, such as a steel food or aer-
24 osol can;

25 “(vi) other scrap metal;

- 1 “(vii) glass; or
2 “(viii) any other material not de-
3 scribed in any of clauses (i) through (vii)
4 that a materials recovery facility processes;
5 and
6 “(2) submit to Congress the inventory or esti-
7 mate prepared under paragraph (1).
8 “(d) INFORMATION ON RECYCLING AND COMPOSTING
9 SYSTEMS.—The Administrator shall, as necessary and ap-
10 propriate, collaborate or contract with States, units of
11 local government, and Indian Tribes to estimate, with re-
12 spect to the United States—
13 “(1) the number and types of recycling and
14 composting programs;
15 “(2) the types and forms of materials accepted
16 by recycling or composting programs;
17 “(3) the number of individuals—
18 “(A) with access to recycling and
19 composting services to at least the extent of ac-
20 cess to disposal services; and
21 “(B) who use, on a percentage basis, the
22 recycling and composting services described in
23 subparagraph (A);
24 “(4) the number of individuals with barriers to
25 accessing recycling and composting services similar

1 to their access to disposal services and the types of
2 those barriers experienced;

3 “(5) the inbound contamination and capture
4 rates of recycling and composting programs;

5 “(6) if applicable, other available recycling or
6 composting programs; and

7 “(7) the average costs and benefits to States,
8 units of local government, and Indian Tribes of recycling and composting programs.

9 “(e) RECYCLING REPORTING RATES.—

11 “(1) COLLECTION OF DATA; DEVELOPMENT OF
12 RATES.—The Administrator may use amounts made
13 available under section 3(c) of the Strategies To
14 Eliminate Waste and Accelerate Recycling Development Act of 2025—

16 “(A) to biannually collect, in collaboration
17 with States, to the extent practicable, information
18 supplied on a voluntary basis to develop
19 the estimated rates described in subparagraphs
20 (B) and (C);

21 “(B) to develop a standardized estimated
22 rate of recyclable materials in States that provide
23 information under subparagraph (A) that
24 have been successfully diverted from the waste

1 stream and brought to a materials recovery fa-
2 cility or composting facility; and

3 “(C) to develop an estimated national recy-
4 cling rate based on the information described in
5 subparagraphs (A) and (B).

6 “(2) USE.—Using amounts made available
7 under section 3(e) of the Strategies To Eliminate
8 Waste and Accelerate Recycling Development Act of
9 2025, the Administrator may use the information
10 collected and rates developed under paragraph (1) to
11 provide requesting States, units of local government,
12 and Indian Tribes data and technical assistance—

13 “(A) to reduce the overall waste produced
14 by the States, units of local government, and
15 Indian Tribes;

16 “(B) to assist the States, units of local
17 government, and Indian Tribes in under-
18 standing the nuances of the information col-
19 lected relating to diversion activities; and

20 “(C) to increase recycling and composting
21 rates of the States, units of local government,
22 and Indian Tribes.

23 “(f) REPORT ON END MARKETS.—The Adminis-
24 trator, in collaboration or contract with, as necessary and

1 appropriate, relevant Federal agencies, States, units of
2 local government, or Indian Tribes, shall—

3 “(1) provide an update to the report submitted
4 under section 306 of the Save Our Seas 2.0 Act
5 (Public Law 116–224; 134 Stat. 1096) to include an
6 addendum on the end-market sale of all recyclable
7 materials from materials recovery facilities that
8 process recyclable materials, including, to the extent
9 practicable—

10 “(A) the total, in dollars per ton, domestic
11 sales of bales of recyclable materials; and

12 “(B) the total, in dollars per ton, inter-
13 national sales of bales of recyclable materials;

14 “(2) prepare a report on the end-market sale of
15 compost from, to the extent practicable, compostable
16 materials, including the total, in dollars per ton, of
17 domestic sales of compostable materials; and

18 “(3) not later than 3 years after the date of en-
19 actment of this section, submit to Congress the up-
20 date to the report prepared under paragraph (1) and
21 the report prepared under paragraph (2).

22 “(g) PRIVILEGED OR CONFIDENTIAL INFORMA-
23 TION.—

24 “(1) IN GENERAL.—Information collected under
25 subsection (c)(1) or paragraph (1) or (2) of sub-

1 section (f) shall not include any privileged or con-
 2 fidential information described in section 552(b)(4)
 3 of title 5, United States Code.

4 “(2) NONDISCLOSURE.—Information collected
 5 to carry out this section shall not be made public if
 6 the information meets the requirements of section
 7 552(b) of title 5, United States Code.”.

8 (2) CLERICAL AMENDMENT.—The table of con-
 9 tents in section 1001 of the Solid Waste Disposal
 10 Act (Public Law 89–272; 90 Stat. 2795; 98 Stat.
 11 3268) is amended by inserting after the item relat-
 12 ing to section 4010 the following:

“Sec. 4011. Report on composting and recycling infrastructure capabilities.”.

13 (c) FEDERAL AGENCY ACTIVITIES RELATED TO RE-
 14 CYCLING.—Not later than 2 years after the date of enact-
 15 ment of this Act, and every 2 years thereafter until 2033,
 16 the Comptroller General of the United States shall make
 17 publicly available a report—

18 (1) detailing or, to the extent practicable, pro-
 19 viding an estimate of—

20 (A) the total annual recycling and
 21 composting rates reported by all Federal agen-
 22 cies; and

23 (B) the total annual percentage of prod-
 24 ucts containing recyclable material, compostable

1 material, or recovered materials purchased by
2 all Federal agencies, including—

3 (i) the total quantity of procured
4 products containing recyclable material or
5 recovered materials listed in the com-
6 prehensive procurement guidelines pub-
7 lished under section 6002(e) of the Solid
8 Waste Disposal Act (42 U.S.C. 6962(e));
9 and

10 (ii) the total quantity of compostable
11 material purchased by all Federal agencies;

12 (2) identifying the activities of each Federal
13 agency that promote recycling or composting; and

14 (3) identifying activities that Federal agencies
15 could carry out to further promote recycling or
16 composting.

17 (d) STUDY ON THE DIVERSION OF RECYCLABLE MA-
18 TERIALS FROM A CIRCULAR MARKET.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, the Administrator
21 shall develop a metric for determining the proportion
22 of recyclable materials in commercial and municipal
23 waste streams that are being diverted from a cir-
24 cular market.

1 (2) STUDY; REPORT.—Not later than 1 year
2 after the development of a metric under paragraph
3 (1), the Administrator shall conduct a study of, and
4 submit to Congress a report on, the proportion of re-
5 cyclable materials in commercial and municipal
6 waste streams that, during each of the 10 calendar
7 years preceding the year of submission of the report,
8 were diverted from a circular market.

9 (3) DATA.—The report under paragraph (2)
10 shall provide data on specific recyclable materials,
11 including aluminum, plastics, paper and paperboard,
12 textiles, and glass, that were prevented from remain-
13 ing in a circular market through disposal or elimi-
14 nation, and to what use those specific recyclable ma-
15 terials were lost.

16 (4) EVALUATION.—The report under paragraph
17 (2) shall include an evaluation of whether the estab-
18 lishment or improvement of recycling programs
19 would—

20 (A) improve recycling rates;

21 (B) reduce the quantity of recyclable mate-
22 rials being unutilized in a circular market; and

23 (C) affect prices paid by consumers for
24 products using materials recycled in the circular
25 market.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Administrator to
3 carry out this section and the amendments made by this
4 section \$4,000,000 for each of fiscal years 2025 through
5 2029.

6 (f) ADMINISTRATION.—

7 (1) UNFUNDED MANDATES.—The Adminis-
8 trator or the Secretary of Commerce may not exer-
9 cise any authority under this section or any amend-
10 ment made by this section if exercising that author-
11 ity would require a State, a unit of local govern-
12 ment, or an Indian Tribe to carry out a mandate for
13 which funding is not available.

14 (2) NONDISCLOSURE.—Any information col-
15 lected to carry out this section shall not be made
16 public if the information meets the requirements of
17 section 552(b) of title 5, United States Code.

Senator CAPITO. I am going to hold—I do not believe we have any amendments, so I am going to——

Senator MERKLEY. I am going to offer an amendment and withdraw it. This amendment deals with the topic and specifically about reuse and refill.

Senator CAPITO. Could I just ask, interrupt just for a second? We are under a time constraint here, obviously, from, I think it is the Senator's committee, would you mind withdrawing?

Senator MERKLEY. I am offering to withdraw it right now, with the understanding that our teams have talked and that you will work with me to pursue this piece of the puzzle.

Senator CAPITO. I will work with you to pursue this, yes. Thank you. I appreciate that.

I move that the committee report the bill favorably. Is there a second?

Senator WHITEHOUSE. Second.

Senator CAPITO. All those in favor, say aye.

[Chorus of ayes.]

Senator CAPITO. All opposed, say no.

[No audible response.]

Senator CAPITO. In the opinion of the Chair, the ayes have it. The legislation is favorably reported. I note for the record that a quorum of the committee is present at the time of the vote.

That concludes the voting portion of today's business meeting. Would any Senator like to be recognized? I will recognize Senator Blunt Rochester first.

Senator Blunt Rochester. Thank you, Madam Chair. I want to thank my colleagues for working with us to pass this legislation to reauthorize the EPA program that helps breathe new life into communities across our Country.

As everyone here knows, the EPA Brownfields program empowers States, communities, and stakeholders to work together to address environmental contamination and repurpose land. When a brownfield is cleaned up, the redevelopment of that property brings new jobs and increased tax revenue.

A 2017 study concluded that cleaning up brownfields can generate up to \$97 million in additional tax revenue for local governments. These are great benefits that help improve our environment, our economy, our health and job opportunities. I am proud to co-lead this bill with you, Senator Capito, as I take on the work of our former Chairman, Senator Tom Carper. I want to thank him for his leadership as well.

Today moves us a step closer to providing the needed funding to communities to help them repurpose, reimagine, and redevelop their neighborhoods. I would just say in closing that it was important for me to be on this committee because my State is the lowest mean elevation State in the Country. We have challenges like others, we are urban, suburban, rural and coastal.

One of the reasons why I really wanted to be on this committee, having worked with you on WRDA, is because of the bipartisan nature. I hope that this moment, which is an inflection point for all of us, that the historic nature of this committee continues to operate that way, in a bipartisan fashion.

I am concerned about usurping the power of congress, and I hope that we can stay unified in our efforts to make sure that these programs that we fund, that we appropriate, that we legislate, are actually implemented so that we can see the benefits that I refer to in my statement.

Thank you, and I yield back.

Senator CAPITO. Thank you very much.

I now recognize Senator Sullivan.

Senator SULLIVAN. Thank you, Madam Chair. I just wanted to briefly touch on the two amendments that I had, it was Sullivan 1 and Sullivan 2. I am hopeful we can move these in a bipartisan way.

This, Madam Chair, relates to Alaska Native lands in Alaska. The background is in 1971, Congress passed the biggest land claim settlement probably in the history of the world for Native people, 44 million acres of State and Federal land, that is I think bigger than California, went to the Native people of Alaska. They set up Alaska Native Corporations, they set up regional corporations. They own this land in fee simple. It is a very innovative program.

Unfortunately, a lot of the land that the Feds gave to the Native people of Alaska was polluted. Very, very polluted. We have legislated in this committee before, Senator Carper was a co-sponsor of some of my legislation, it has been very bipartisan. I am hoping that colleagues like Senator Whitehouse can join me in my amendments because the amendments just essentially make no sense.

The first amendment addresses a challenge, it is complicated, but in terms of brownfield programs to have cleanup on Alaska Native lands, Alaska Native Corporation lands that the Federal Government gave to the Native people polluted, it says, it does not include petroleum that pollutes those lands. Why wouldn't it include petroleum? Remember, this is the Federal Government that polluted the lands, nobody else.

We want an amendment that says, well, you can apply for brownfield funds that would of course include cleaning up petroleum sites that the Federal Government gave to the Native people of Alaska polluted with petroleum. That is just, it seems crazy that that is not in the law now. I would like to try to fix that. I think it would get bipartisan support.

That was Sullivan 1. Sullivan 2 is even crazier, which requires right now, fixing something crazy, which requires right now in the law, before you can start a cleanup of these contaminated lands in Alaska on Alaska Native lands, again, polluted by the Federal Government, you have to start with a NEPA process, a NEPA process to get permission to then go cleanup contaminated lands.

I just think that is nuts, because it takes time, takes money. Everybody knows these are contaminated lands because of the Feds. We need a categorical exclusion saying, you do not need to do a NEPA process to start the cleanup of polluted lands for the Native people of my State.

Those are the two amendments. Very common sense. Senator Carper and I have worked together previously. CERCLA, believe it or not was going to under the law say to the Native people, Defense gave you polluted lands, now you have to clean them up under

CERCLA and you have to pay for it. What? We fixed that in this committee in a bipartisan way.

These are more common sense amendments that I am hoping we can get passed that bring fairness to just what we are all trying to do, is cleanup these polluted Native lands in my State that were polluted by the Federal Government when they gave the lands to the Native people of Alaska in the first place. That is what we are trying to get done.

Thank you, Madam Chair. I appreciate that and look forward to working with both you and Senator Whitehorse on this.

Senator CAPITO. Thank you, Senator Sullivan. I, from my standpoint, want to work with you to try to work through these issues. It does sound very much common sense in my opinion. I will say, serving on this committee with you as I have for several years, I have learned so much about your history and your State's history and the unique challenges, we all have unique challenges in our States, but I would say you may have the most unique challenges.

If we can keep working, thank you for being willing to keep this last bill on track. We will help to address this petroleum-contaminated site.

Senator WHITEHOUSE. I look forward to working with my friend, Senator Sullivan, as well on this. I think the concern on our side is going to be make sure that if there is actual liability for that pollution on the part of the fossil fuel industry that they are paying an appropriate share to remedy what they did.

If it is only the Federal Government that has caused this, that is one thing. If the Federal Government had fee, was polluted by the fossil industry, and then transferred it without settling up with the fossil fuel industry for that harm, they should not be able to walk away from any accountability. I think that is the issue we will have to address.

Senator SULLIVAN. Thank you both.

Senator CAPITO. Thank you.

With no further business, the committee stands adjourned. I want to thank everyone. Thank you.

[Whereupon, at 11:04 a.m., the hearing was adjourned.]

GAI25119 W7N

S.L.C.

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. Res. _____

Authorizing expenditures by the Committee on Environment
and Public Works.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mrs. CAPITO

Viz:

1 Strike all after the resolving clause and insert the fol-
2 lowing:

3 **SECTION 1. GENERAL AUTHORITY.**

4 In carrying out its powers, duties, and functions
5 under the Standing Rules of the Senate, in accordance
6 with its jurisdiction under rule XXV of the Standing Rules
7 of the Senate, including holding hearings, reporting such
8 hearings, and making investigations as authorized by
9 paragraphs 1 and 8 of rule XXVI of the Standing Rules
10 of the Senate, the Committee on Environment and Public
11 Works (in this resolution referred to as the “committee”)

2

1 is authorized from March 1, 2025, through February 28,
2 2027, in its discretion, to—

3 (1) make expenditures from the contingent fund
4 of the Senate;

5 (2) employ personnel; and

6 (3) with the prior consent of the Government
7 department or agency concerned and the Committee
8 on Rules and Administration, use on a reimbursable
9 or nonreimbursable basis the services of personnel of
10 any such department or agency.

11 **SEC. 2. EXPENSES.**

12 (a) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30,**
13 **2025.**—The expenses of the committee for the period
14 March 1, 2025, through September 30, 2025, under this
15 resolution shall not exceed \$4,107,247, of which amount—

16 (1) not to exceed \$4,666 may be expended for
17 the procurement of the services of individual consult-
18 ants, or organizations thereof (as authorized by sec-
19 tion 202(i) of the Legislative Reorganization Act of
20 1946 (2 U.S.C. 4301(i))); and

21 (2) not to exceed \$1,166 may be expended for
22 the training of the professional staff of the com-
23 mittee (under procedures specified by section 202(j)
24 of that Act).

3

1 (b) EXPENSES FOR FISCAL YEAR 2026 PERIOD.—

2 The expenses of the committee for the period October 1,
3 2025, through September 30, 2026, under this resolution
4 shall not exceed \$7,040,996, of which amount—

5 (1) not to exceed \$8,000 may be expended for
6 the procurement of the services of individual consult-
7 ants, or organizations thereof (as authorized by sec-
8 tion 202(i) of the Legislative Reorganization Act of
9 1946 (2 U.S.C. 4301(i))); and

10 (2) not to exceed \$2,000 may be expended for
11 the training of the professional staff of the com-
12 mittee (under procedures specified by section 202(j)
13 of that Act).

14 (c) EXPENSES FOR PERIOD ENDING FEBRUARY 28,
15 2027.—The expenses of the committee for the period Oc-
16 tober 1, 2026, through February 28, 2027, under this res-
17 olution shall not exceed \$2,933,748, of which amount—

18 (1) not to exceed \$3,334 may be expended for
19 the procurement of the services of individual consult-
20 ants, or organizations thereof (as authorized by sec-
21 tion 202(i) of the Legislative Reorganization Act of
22 1946 (2 U.S.C. 4301(i))); and

23 (2) not to exceed \$834 may be expended for the
24 training of the professional staff of the committee

4

1 (under procedures specified by section 202(j) of that
2 Act).

3 **SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.**

4 (a) EXPENSES OF THE COMMITTEE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), expenses of the committee under this res-
7 olution shall be paid from the contingent fund of the
8 Senate upon vouchers approved by the chairman of
9 the committee.

10 (2) VOUCHERS NOT REQUIRED.—Vouchers shall
11 not be required for—

12 (A) the disbursement of salaries of employ-
13 ees paid at an annual rate;

14 (B) the payment of telecommunications
15 provided by the Office of the Sergeant at Arms
16 and Doorkeeper;

17 (C) the payment of stationery supplies pur-
18 chased through the Keeper of the Stationery;

19 (D) payments to the Postmaster of the
20 Senate;

21 (E) the payment of metered charges on
22 copying equipment provided by the Office of the
23 Sergeant at Arms and Doorkeeper;

24 (F) the payment of Senate Recording and
25 Photographic Services; or

1 (G) the payment of franked and mass mail
2 costs by the Sergeant at Arms and Doorkeeper.

3 (b) AGENCY CONTRIBUTIONS.—There are authorized
4 to be paid from the appropriations account for “Expenses
5 of Inquiries and Investigations” of the Senate such sums
6 as may be necessary for agency contributions related to
7 the compensation of employees of the committee—

8 (1) for the period March 1, 2025, through Sep-
9 tember 30, 2025;

10 (2) for the period October 1, 2025, through
11 September 30, 2026; and

12 (3) for the period October 1, 2026, through
13 February 28, 2027.

GAI25138 XWX


119TH CONGRESS
1ST SESSION**S. RES.** _____

Authorizing expenditures by the Committee on Environment and Public
Works.

IN THE SENATE OF THE UNITED STATES

Mrs. CAPITO, from the Committee on Environment and Public Works,
reported the following original resolution; which was _____

RESOLUTION

Authorizing expenditures by the Committee on Environment
and Public Works.

1 *Resolved,*

2 **SECTION 1. GENERAL AUTHORITY.**

3 In carrying out its powers, duties, and functions
4 under the Standing Rules of the Senate, in accordance
5 with its jurisdiction under rule XXV of the Standing Rules
6 of the Senate, including holding hearings, reporting such
7 hearings, and making investigations as authorized by
8 paragraphs 1 and 8 of rule XXVI of the Standing Rules
9 of the Senate, the Committee on Environment and Public
10 Works (in this resolution referred to as the “committee”)

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1 is authorized from March 1, 2025, through February 28,
2 2027, in its discretion, to—

3 (1) make expenditures from the contingent fund
4 of the Senate;

5 (2) employ personnel; and

6 (3) with the prior consent of the Government
7 department or agency concerned and the Committee
8 on Rules and Administration, use on a reimbursable
9 or nonreimbursable basis the services of personnel of
10 any such department or agency.

11 **SEC. 2. EXPENSES.**

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22 the training of the professional staff of the com-
23 mittee (under procedures specified by section 202(j)
24 of that Act).

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2 The expenses of the committee for the period October 1,
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13 of that Act).

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20 ants, or organizations thereof (as authorized by sec-
21 tion 202(i) of the Legislative Reorganization Act of
22 1946 (2 U.S.C. 4301(i))); and

23 (2) not to exceed \$834 may be expended for the
24 training of the professional staff of the committee

1 (under procedures specified by section 202(j) of that
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4 (a) EXPENSES OF THE COMMITTEE.—

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18 chased through the Keeper of the Stationery;

19 (D) payments to the Postmaster of the
20 Senate;

21 (E) the payment of metered charges on
22 copying equipment provided by the Office of the
23 Sergeant at Arms and Doorkeeper;

24 (F) the payment of Senate Recording and
25 Photographic Services; or

5

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2 costs by the Sergeant at Arms and Doorkeeper.

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4 to be paid from the appropriations account for “Expenses
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7 the compensation of employees of the committee—

8 (1) for the period March 1, 2025, through Sep-
9 tember 30, 2025;

10 (2) for the period October 1, 2025, through
11 September 30, 2026; and

12 (3) for the period October 1, 2026, through
13 February 28, 2027.

Karly McQuitty
EPW committee
4-5165



EPW Committee Rules of Procedure

RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) Regular Meeting Days: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the Committee is the first and third Wednesday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) The Committee Chairman (Chair) may call additional meetings, after consulting with the Ranking Minority Member. Subcommittee chairs may call meetings, with the concurrence of the Chair, after consulting with the ranking minority members of the subcommittee and the Committee.

(c) Presiding Officer:

- (1) The Chair shall preside at all meetings of the Committee. If the Chair is not present, the ranking member of the majority party who is present shall preside at that meeting.
- (2) Subcommittee Chairs shall preside at all meetings of their subcommittees. If the Subcommittee Chair is not present, the ranking member of the majority party who is present of the subcommittee shall preside at that meeting.
- (3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the Committee may preside at a hearing as designated by the Chair or presiding officer.

(d) Open Meetings: Meetings of the Committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the Committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken-

- (1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;
- (2) relate solely to matters of Committee staff personnel or internal staff management or procedure; or
- (3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) Broadcasting:

- (1) Public meetings of the Committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or a Senate employee.
- (2) Any member of the Senate Press Gallery, or any Senate employee, wishing to televise, broadcast, or record a Committee or subcommittee meeting must notify the Majority Staff Director or the Majority Staff Director's designee by 5:00 p.m. the day before the meeting.
- (3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes

with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

RULE 2. QUORUMS

(a) **Business Meetings:** At Committee business meetings, and for the purpose of approving the issuance of a subpoena by a vote of the Committee or approving a Committee resolution, seven members of the Committee, at least two of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) **Subcommittee Meetings:** At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) **Continuing Quorum:** Once a quorum as prescribed in subsections (a) and (b) has been established, the Committee or Subcommittee may continue to conduct business.

(d) **Reporting:** No measure or matter may be reported to the Senate by the Committee, unless a majority of committee members cast votes in person.

(e) **Hearings:** One member constitutes a quorum for conducting a hearing.

RULE 3. HEARINGS

(a) **Announcements:** Before the Committee or a subcommittee holds a hearing, the Chair or Subcommittee Chair shall make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the Chair or Subcommittee Chair, with the concurrence of the Ranking Minority Member of the Committee or Subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing.

(b) **Statements of Witnesses:**

(1) A witness who is scheduled to testify at a hearing of the Committee or a subcommittee shall submit the written testimony by electronic mail at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness' testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use any exhibit such as a chart, graph, diagram, photo, map, slide, video, or model must submit by electronic mail, an attachment or link to download, an identical copy of each exhibit (or representation of the exhibit in the case of a model) at least 48 hours before the hearing. Any exhibit described above that is not provided to the Committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the Committee and will not be included in the hearing record.

- (3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.
- (4) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a Federal agency, an Inspector General, or a nongovernmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

(c) Sworn Testimony: Witnesses in Committee or subcommittee hearings shall be required to give testimony under oath at all nomination, oversight, investigative, and budget hearings. Witnesses at other Committee or subcommittee hearings may be required to give testimony under oath at the discretion of the Chair or Ranking Minority Member. If any witness at a hearing is required to testify under oath, all witnesses at that hearing shall be required to testify under oath.

(d) Transcripts: Transcripts shall be kept of each hearing of the Committee and each subcommittee.

RULE 4. BUSINESS MEETINGS: NOTICE AND FILING REQUIREMENTS

(a) Notice: The Chair or Subcommittee Chair shall provide notice, the agenda of business to be discussed, and the text of agenda items to members of the Committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday.

(b) Amendments: First-degree amendments must be filed with the Chair or the Subcommittee Chair at least 24 hours before a business meeting. After the filing deadline, the Chair or Subcommittee Chair shall promptly distribute all filed amendments to the members of the Committee or subcommittee.

(c) Modifications: The Chair or Subcommittee Chair may modify the notice and filing requirements to meet special circumstances, with the concurrence of the Ranking Minority Member of the Committee or subcommittee.

RULE 5. BUSINESS MEETINGS

(a) Proxy Voting:

- (1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee, subject to Rule 2(d).
- (2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) Late Voting: Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

(c) Public Announcement:

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the report shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

(d) Transcripts: A transcript shall be kept of each business meeting of the Committee, unless a majority of all members of the Committee or subcommittee agree that some other form of permanent record is preferable.

RULE 6. SUBCOMMITTEES

(a) Regularly Established Subcommittees: The committee has four subcommittees: Transportation and Infrastructure; Clean Air, Climate, and Nuclear Innovation and Safety; Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight; and Fisheries, Water, and Wildlife.

(b) Membership: The Chair, after consulting with the Ranking Minority Member, shall select members of the subcommittees.

RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) Environmental Impact Statements: No project or legislation proposed by any executive branch agency may be approved, or otherwise acted upon, unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule does not modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) Project Approvals:

(1) Whenever the Committee authorizes a project under: Public Law 89-298, the Rivers and Harbors Act of 1965, as amended; Public Law 83-566, the Watershed Protection and Flood Prevention Act, as amended; or Public Law 86-249, the Public Buildings Act of 1959, as amended; the Chair shall submit for printing in the Congressional Record, and the Committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate supporting evidence.

(c) Building Prospectuses:

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the Committee shall act with respect to the prospectus during the same session of Congress in which the prospectus is submitted.

A prospectus rejected by majority vote of the Committee, or not reported to the Senate during the session in which it was submitted, shall be returned to the General Services Administration and must be resubmitted in order to be considered by the Committee during the next session of Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) Naming Public Facilities: The Committee may not name a building, structure or facility for any living person, except: former Presidents or former Vice Presidents of the United States; former Members of Congress over 70 years of age; former Justices of the United States Supreme Court over 70 years of age; or Federal judges over 75 years of age who are fully retired or have taken senior status.

RULE 8. SUBPOENAS

The Chair, with the agreement of the Ranking Minority Member or by a vote of the Committee, may subpoena the attendance of a witness at a hearing or deposition, or the production of memoranda, documents, records, or any other materials.

RULE 9. AMENDING THE RULES

The rules may be amended or suspended by vote of a majority of committee members at a business meeting, if a quorum is present.

Sandy McQuitty
EPW committee
4-5165



February 12, 2025

Hon. Shelly Moore Capito
Chairman
Committee on Environment and
Public Works
410 Dirksen Senate Office Building
United States Senate
Washington, DC 20510

Hon. Lisa Blunt Rochester
United States Senator
Committee on Environment and
Public Works
B40A Dirksen Senate Office Building
United States Senate
Washington, DC 20510

Re: Statement Supporting S. 347 - *Brownfields Reauthorization Act of 2025*

Dear Chairman Capito and Senator Blunt Rochester:

The International Council of Shopping Centers (ICSC) appreciates the opportunity to submit the following statement in support of the Committee's recent passage of the *Brownfields Reauthorization Act of 2025*. This legislation improves the ability for greater economic development in rural and low-income communities through meaningful real estate investment and environmental cleanup. In the 118th Congress, ICSC testified and fully supported the Brownfields Reauthorization legislation and offers its support to the *Brownfields Reauthorization Act of 2025*.

ICSC is the member organization for industry advancement, ICSC promotes and elevates the marketplaces and spaces where people shop, dine, work, play, and gather as foundational and vital ingredients of communities and economies. ICSC's members include large, medium, and small commercial property developers. Based on ICSC's membership and interests, ICSC fully supports the Chairman, Ranking Member and Senator Blunt Rochester's efforts to advance this community cleanup and economic investment legislation.

ICSC supports reauthorization of the United States Environmental Protection Agency (EPA) Brownfields Program. This legislation improves the EPA Brownfields Program by making it easier for contaminated and abandoned industrial sites to be redeveloped and returned to useful and productive properties. The legislation improves the Brownfields Program by making key reforms to the financial barriers for small and underserved communities, including low-income and rural communities. The legislation levels the financial playing field to allow smaller communities and community-based organizations to compete with larger entities which have more capital funding. This leveling of the playing field allows more communities to redevelop sites and return them to specific uses that match local community needs.

Regarding cleanup and development funding, the legislation improves the funding of the Brownfields Program to align it to reflect current construction costs and project sizes. The



legislation updates the maximum site cleanup grants from \$500,000 to \$1,000,000. The legislation also increases the State program funding to \$75 million annually by 2030. Additionally, the reduction of the cost-sharing requirement from 20 percent to 10 percent allows for smaller organizations to compete to purchase and cleanup Brownfield sites. The increase in purchasers and competition will allow more properties to be cleaned up and redeveloped.

ICSC fully supports the reauthorization of this important program and offers its support to helping advance this crucial legislation. With questions, please contact me at ajagoda@ICSC.com or at 202-626-1405.

Respectfully,

Abby Jagoda
Vice President, Public Policy
ICSC

cc:
Hon. Sheldon Whitehouse
United States Senator
Ranking Member, Committee on Environment and
Public Works

