

**HEARING ON THE NOMINATION OF THE
HONORABLE LEE M. ZELDIN TO BE
ADMINISTRATOR OF THE ENVIRONMENTAL
PROTECTION AGENCY**

HEARING
BEFORE THE
OF THE
COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

JANUARY 16, 2025

Printed for the use of the Committee on Environment and Public Works



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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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HEARING ON THE NOMINATION OF THE HONORABLE LEE M. ZELDIN TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

THURSDAY, JANUARY 16, 2025

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

The committee met, pursuant to notice, at 10 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, Boozman, Moran, Sanders, Merkley, Markey, Kelly, Padilla, Schiff, Blunt Rochester, Alsobrooks.

Also present: Senator Barrasso.

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

Senator CAPITO. Good morning, and welcome. Thank you all for your interest in what is going on in not just our committee, but on Capitol Hill and around the Country.

I am excited to welcome all of you to the EPW Committee hearing, the first one of the 119th Congress, and my first as the Chairman. I like this little sign here, I must admit.

This is also the first hearing that I am going to have with Senator Whitehouse as the Ranking Member. Like me, Ranking Member Whitehouse has served on the EPW Committee since he came to the Senate. He is a passionate and vocal advocate on behalf of Rhode Island and of his constituents, and he is a great partner here on this committee in delivering legislative solutions for the American public.

I am proud of our previous efforts that we have worked together to move bipartisan legislation forward, such as laws to support carbon capture utilization and sequestration technology, as well as the ADVANCE Act, which we passed and worked together on several years and finally got it over the finish line last year, and it was signed into law, in working to modernize the Nuclear Regulatory Commission.

My partnership with Ranking Member Whitehouse on these issues reflects the broader tradition of this EPW Committee. Quite honestly, we have some tough issues sometimes in here where we have strong disagreements, but we always want to find common

ground. This committee has a strong legacy of working together to pass bipartisan legislation to improve our Nation's infrastructure, invest in our water systems, and help cleanup our environment.

I look forward to continuing this strong bipartisan tradition as the Chairman of the committee, working with the Ranking Member and all of our members to address critical issues within our jurisdiction of this Congress.

This morning, we will hear from President Trump's nominee to lead the Environmental Protection Agency, former Congressman Lee Zeldin. Welcome.

Congressman Zeldin has served our Nation honorably in the U.S. Army, first on active duty and then in the Army Reserve. In 2014, Congressman Zeldin was elected to the House of Representatives, where he served the State of New York for 8 years. Throughout his tenure in the House of Representatives, Congressman Zeldin championed critical environmental policies that helped his Long Island District. He supported legislation to boost innovation for clean energy, technologies, and policies that strengthened our Nation's energy security.

I enjoyed meeting Congressman Zeldin to hear about his experience and his vision for how he would prioritize the agency's work as the EPA Administrator. I believe the EPA must return to its core missions. The EPA also should better manage taxpayers' dollars by doing more with the vast funding that Congress provides. That means reducing, of course, bureaucratic red tape so the State agencies responsible for protecting our Nation's air, land, and water can do so without Washington, DC. getting in the way.

Doing so will lead to those State agencies efficiently improving our drinking water systems and issuing relevant air, land, and water permits. It also means prioritizing the EPA's attention toward issues that will help Americans in their daily lives. When the EPA focuses on what it does best, it does not just benefit the environment; it benefits our economic growth.

For example, the agency should prioritize cleaning up Brownfields and Superfund sites to facilitate new economic development of those locations, many of those of which are located in rural and distressed areas. I look forward to hearing Congressman Zeldin's plan to build on the work initiated by the first Trump Administration, including the EPA which took the first step to address legacy PFAS contaminants.

As the agency fulfills its obligation under our Nation's bedrock environmental laws, the Administrator should also take into account the affordability and electric reliability. Recently, the organization responsible for ensuring grid reliability found that more than half of the United States could experience rolling blackouts in the next decade because of the lack of reliable power capacity. Areas at risk of shortages include New England, the Mid-Atlantic, California, the Midwest, and the Great Plains.

The reliability risk is due to the projected retirement of dispatchable power plants compiled with a 15 percent increase in electricity demand over the next decade. Critically, this demand cannot be met solely with intermittent energy generation. Spiking energy costs and rolling blackouts are an unacceptable fact if the U.S. is to continue as a global leader.

Actions that policymakers and regulators take now will determine whether Americans thrive in an era with a cleaner environment, energy abundance, lower costs, and economic prosperity, or face it with a path of scarcity, inflation, and stagnation. I support that first option I named and believe our nominee does as well.

I have confidence that the EPA under Congressman Zeldin's leadership will focus on the EPA's core mission: to protect human health and the environment while acknowledging the critical role the agency plays in our economic and international leadership. In doing so, the EPA can make great progress in addressing key environmental challenges, consistent with the authorities Congress has given the agency.

I look forward to discussing these issues with Congressman Zeldin today, and I now recognize our Ranking Member, Senator Whitehouse, for his opening statement.

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

Senator WHITEHOUSE. Thank you, Madam Chair. There are three things: first, I would like to let everyone know that I like the Chairman.

[Laughter.]

Senator WHITEHOUSE. That is a good start, and in that context, I would like to present her, as the new Chairman, this gavel.

Senator CAPITO. Oh, thank you.

Senator WHITEHOUSE. It was made in 1956 of wood from the old West Virginia Statehouse by the McKinley Vocational High School in Wheeling, West Virginia. It was presented to the then-Governor of West Virginia, Hulett Smith, who kept it upon his departure. He was term limited out, and that was significant for, among other reasons, that it opened the office to the Chairman's father, Arch Moore.

Madam Chair, may you bang it in good health.

Senator CAPITO. Thank you, oh my goodness. Very nice, thank you.

Senator WHITEHOUSE. Second, we have indeed worked well together. We have together successfully advanced nuclear energy reform; we have together successfully encouraged and expanded carbon capture, and the WRDA and highway bills present big bipartisan opportunities for more work together. I even hope, together, we can revive permitting reform. There is plenty of good opportunity. As I speak of bipartisan matters, let me also welcome Senator Curtis, our newly elected member of this committee on the Republican side.

Last, I want to show everyone this map of my home State. The bright green parts are parts that are destined to flood, permanently, underwater, lost to the sea in decades ahead. Congressman Zeldin will be familiar with this risk from his home, Suffolk County.

Fossil fuel pollution is the cause of that. It will change the map of my State, and it will do us crippling economic damage. As I see it, we have been through three eras on climate. First, was the era of science, and scientists, our headlights, did their job, predicting

accurately what was going to happen. NASA scientists, academic scientists, IPCC scientists, Exxon scientists, they did their job.

Next came the era of politics, where it was our job to heed the warnings of science and head off those dangers. We failed, badly, and for the worst of all reasons: we succumbed to a massive, deliberate campaign of lies and corruption by the polluters themselves.

That failure ushers in now an era of consequences, consequences we should have headed off, but didn't. It is beginning in creeping, seeping inflation, as goods become harder to grow, produce and ship in upended weather patterns. It is upon us already in forward-looking industries like insurance. Good luck with property insurance in Florida and California.

The worst danger is systemic economic crashes. One widely warned of in economic literature is the carbon bubble, bursting when the international oil cartel or the massive government subsidies cease propping up fossil fuel, and stranded assets lose all value, and the resulting shock cascades into the global economy.

The other, upon us already, is climate risk, making property insurance unaffordable or unavailable, which in turn makes mortgages unavailable, which in turn, crashes property values.

Remember this map. Before all that land went underwater, it would become uninsurable, and that is still water flooding. Throw in big storms, and there is a whole coastal un-insurability crisis looming. The chief economist for Freddie Mac predicted a coastal property values crash cascading through the economy like the 2008 Great Recession, and that coastal danger is now matched by western wildfire risk, like we are seeing right now in Los Angeles, launching the same insurance to mortgage to property values collapse.

Let us be clear: we are in this perilous place because a campaign of lies and corruption and pollution delivered deliberately and at industrial scale by the fossil fuel industry was accomplished through an armada of paid front groups. We are clear, it is not just me warning of significant economic harms ahead. I will circulate to all colleagues, lucky you, this compendium of the published warnings for you and all of your staffs to review. This threat is real.

If a sharp-eyed cabin boy on the Titanic had happened that night to see the iceberg ahead, you would expect him to do whatever he could to fight his way to the captain's table in the fancy dining room and warn of the impending disaster, so please understand that map of my State and the sense of urgency that I feel. I am confident that the Chairman would equal me in energy and determination for any similar dangers to her Mountain State.

It is through this lens of urgency that I approach this nomination hearing. President Trump has called climate change a hoax. While running for President, he met with fossil fuel industry executives and told them they should give him a billion dollars in exchange for his reversing the rules that protect our air and water and limit the pollution that is driving climate change, and indeed, fossil fuel companies and executives lavished millions and millions of dollars on the Trump campaign and affiliated organizations.

These special interests now expect a return on their political investment. They expect a reversal of the already limited protections we have for our air and water. Make no mistake, not only would

reversing these protections harm our air, water, public health, and climate, doing so would also cost Americans money, as they would be forced to spend more to fuel their cars, to buy their groceries, to heat and cool their homes and businesses. That is money that would go directly from every hardworking American's wallet into the accounts of billionaire fossil fuel barons and giant oil companies.

The question, then, for Mr. Zeldin here before us as President Trump's nominee to run the Environmental Protection Agency, is simple. Will he follow the science and the economics and protect our air, water, and climate, or will he merely be a rubber stamp for looters and polluters who are setting the Trump agenda?

I must say, this role at polluter-funded organizations, such as the America First Policy Institute and America First Works, his long list of Trump-affiliated consulting clients, and his anti-climate op-eds paid for by dark money organizations do not give me confidence that he will be an honest broker if confirmed to lead EPA.

I really want this to work. That is how high the stakes are. I am not here trying to score points; I am here trying to steer us away from what I see as a calamity ahead. I will therefore be watching closely today to see if Congressman Zeldin is able to differentiate himself in any substantive ways from the polluter agenda and the economic crashes likely to ensue.

Thank you, Madam Chair. Here is to a productive relationship in this important committee.

Senator CAPITO. Thank you, Senator. Thank you for the gavel. That has great meaning to me, so I very much appreciate that. I am actually from the northern part of the State, where it was made, so thank you.

I am now going to turn to Senator Barrasso, who is going to be introducing Congressman Zeldin.

**STATEMENT OF HON. JOHN BARRASSO,
U.S. SENATOR FROM THE STATE OF WYOMING**

Senator BARRASSO. Thank you very much, Chairman Capito, Ranking Member Whitehouse, members of the committee. Thank you for allowing me to be here today to introduce Congressman Lee Zeldin, who has been nominated to be the Administrator of the Environmental Protection Agency.

The EPA is very important to Wyoming and to the Nation. It is responsible for protecting our air, our water, and our communities. Americans deserve clean air and clean water. They also deserve clear rules and common sense from the government.

Over the last 4 years, they have gotten neither. The EPA has pushed policies that killed jobs in Wyoming and raised the cost for families across the Nation. They also pursued rules that shut down power generation and threatened electric reliability.

Americans should be able to take for granted that the lights will go on when they flip the switch. They should know that those making the rules understand that their livelihoods depend on a balanced and measured approach.

Instead, the approach over the last 4 years has been based solely on radical environmentalism. Congressman Zeldin will correct the course of the EPA. He has been highly motivated from a young age

and graduated from law school at age 23. He has over 20 years of military experience and service, and he is still counting those, because Lieutenant Colonel Zeldin has a range of experience in the army. He was a military intelligence officer, a prosecutor, and military magistrate. He is a veteran of Operation Iraqi Freedom, where he served in the Army's 82d airborne division as a paratrooper, and just last weekend, was on Army Reserve duty.

His public service does not end there. In addition to his time in the U.S. Congress, he served in the New York State Senate. He knows firsthand how important it is for the Federal Government to be a partner to States rather than an out-of-touch regulator.

This is the dedication and understanding that Lee Zeldin will bring to the EPA. His experience shows that he knows how to balance multiple priorities. He understands that we must be good stewards of the environment without crippling the economy.

Many organizations, both public and private, agree that Lee is the right person for the job. One of those organizations is the National Association of Clean Water Agencies. In a letter to the committee, the association said, "He has shown a willingness to engage with a broad spectrum of stakeholders to address pressing issues. This approach is critical for achieving EPA's mission in a way that balances environmental protection," they say, "and pragmatic public policy implementation."

He has strong support from his community back home. The Long Island Water Conference has said, "We are offering our strong support for fellow Long Islander and New Yorker, Lee Zeldin." They go on to say: "We believe that Mr. Zeldin's experience will provide a balanced approach to the regulatory process. This will ultimately," they say, "provide effective protection of public health and the environment."

Reading this about balanced approach reminded me, and Cynthia might have been there as a young, young girl in 1963, when John Kennedy, President of the United States, came to Wyoming. He came with Stewart Udall, who was his Secretary of Interior. It was a conservation tour of the west. Stewart Udall, the Interior Department building is now named after him, and his son, Tom, served with many of us on this very committee. He sat right there, where Senator Padilla is sitting right now.

I brought this picture that has been hanging on my wall in the office in D307, and it is John Kennedy in the Field House of the University of Wyoming, addressing the largest indoor arena that we had and the largest standing-only crowds in 1963 as part of his conservation tour. What John Kennedy said that day, he said "We must maintain a living balance between man's actions and nature's reactions." That is the kind of job that I believe that Lee Zeldin is going to do for our Nation at the EPA, maintain a living balance.

I share this organization, the Long Island Water Conference, in their confidence that Lee Zeldin will lead the EPA in a more balanced and even-handed direction, so I say, Lee, congratulations on your nomination. I look forward to working with you on these important issues.

I once again thank the committee for letting me join you today. Thank you, Madam Chairman.

[The prepared statement of Senator Barrasso follows:]

U.S. Senator John Barrasso
Introduction of Congressman Lee Zeldin
Before the Senate Committee on Environment & Public Works

Chairman Capito, Ranking Member Whitehouse, members of the Committee.

Thank you for allowing me to be here today to introduce Congressman Lee Zeldin, who has been nominated to be the Administrator of the Environmental Protection Agency.

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Congressman Zeldin will correct the course of the EPA. He has been highly motivated from a young age, having graduated law school at 23 years old. He has over 20 years of military service, and still counting! Lieutenant Colonel Zeldin has a range of experience in the Army. He was a military intelligence officer. He was a prosecutor and military magistrate. He is a veteran of Operation Iraqi Freedom, where he served with the Army's 82nd Airborne Division as a paratrooper. And just last weekend he was on Army Reserve duty.

His public service does not end there. In addition to his time in the U.S Congress, he served in the New York State Senate. He knows firsthand how important it is for the federal government to be a partner to states, rather than an out-of-touch regulator. This is the dedication and understanding he will bring to the EPA. His experience shows that he knows how to balance multiple priorities. He understands that we must be good stewards of the environment without crippling our economy.

Many organizations – both public and private – agree that Lee is the right person for the job. One of those organizations is the National Association of Clean Water Agencies. In a letter to the Committee, the Association said *“he has shown a willingness to engage with a broad spectrum of stakeholders to address pressing issues [...]. This approach is critical for achieving EPA's mission in a way that balances environmental protection and pragmatic public policy implementation [...].”*

He also has strong support from his community back home. The Long Island Water Conference said that *“we are offering our strong support for fellow Long Islander and New Yorker Lee*

Zeldin [...]. We believe that Mr. Zeldin's experience will provide a balanced approach to the regulatory process. This will ultimately provide effective protection of public health and the environment."

I share these organizations' confidence that Congressman Zeldin will lead the EPA in a more balanced, even-handed direction.

Lee, congratulations on your nomination. I look forward to working with you on these important issues. I once again thank the Committee for letting me join them today.

Senator CAPITO. Thank you. As a former chair of this committee yourself, we welcome you back anytime.

We are going to switch seats here and ask the nominee to come forward.

We didn't want your first utterances to be as a John Barrasso imitator, so we wanted to make sure we had the right name. Welcome to the committee, Mr. Zeldin. I look forward to your opening statement.

Thank you.

**STATEMENT OF HON. LEE M. ZELDIN,
NOMINEE FOR EPA ADMINISTRATOR**

Mr. ZELDIN. Thank you, Chairman Capito, Ranking Member Whitehouse, and all the distinguished members of this committee.

It has been an honor to meet with all of you to learn more about your highest priorities. I look forward to working with all Senators on this committee on both sides of the aisle to tackle the most pressing issues facing our Country.

I humbly sit before you, nominated to serve as the 17th Administrator of the Environmental Protection Agency. The American people made their voices heard in November, giving President Trump a mandate to lead our Nation to prosperity. I am grateful that the President-elect is giving me the opportunity to lead the EPA at this critical time.

Our mission is simple, but essential: to protect human health and the environment. We must do everything in our power to harness the greatness of American innovation with the greatness of American conservation and environmental stewardship. We must ensure we are protecting the environment while also protecting our economy. Throughout my life, I have been privileged to hold such titles as Congressman and State Senator and Lieutenant Colonel, but none has meant more to me than husband, son, and father.

While one of my identical twin daughters, Ariana, is now back at college, I am excited to be joined here today by my wife, Diana, and our daughter, Mikayla, as well as my mother, Meryl.

The American people need leaders who can find common ground to solve the urgent issues we face. I want my daughters, your loved ones, and every child across our Country to thrive in a world with clean air, clean water, and boundless opportunity. If confirmed, I pledge to enthusiastically uphold the EPA's mission.

I will foster a collaborative culture within the agency, supporting career staff who have dedicated themselves to this mission. I strongly believe we have a moral responsibility to be good stewards of our environment for generations to come.

It has been so motivating to see the tremendous talent stepping up to serve in the EPA. I could not be more excited to partner with our EPA tea nationwide to exceptionally serve the American public.

I had the honor of working with many of you when I represented New York's First congressional District. My district on the eastern end of Long Island was unique in that it was almost completely surrounded by water. My constituents took environmental issues very seriously, and I developed a record in Congress fighting hard and with great success advancing their local priorities.

I worked across party lines to preserve the Long Island Sound and Plum Island. I supported key legislation that became historic bipartisan success stories, like the Great American Outdoors Act, and Senator Sullivan and Whitehouse's Save Our Seas Act to clean up plastics from our oceans. Whether it was leading the fight for Sea Grant, combating PFAS in drinking water, voting for the Lautenberg Chemical Safety Act, or supporting clean energy projects on Long Island, I was proud to do my part to secure these environmental victories.

Georgetown University and the Lugar Center consistently ranked me one of the most bipartisan Members of Congress, and to that end, I joined the bipartisan Climate Solutions Caucus to focus on tackling the challenges of a changing climate.

If confirmed, I want to work with all of you to address the unique environmental issues facing your State. Not only do I want to partner with you; I want to learn from you. I ask you all what a former Administrator asked a great chairman of this committee from my home State, Senator Daniel Patrick Moynihan: what advice would you give me as I undertake to lead EPA? I look forward to having this discussion with each of you.

The EPA must be better stewards of tax dollars, honor cooperative federalism, and be transparent and accountable to Congress and the public. The American people elected President Trump last November in part due to serious concerns about upward economic mobility and their struggle to make ends meet. Too many of our fellow Americans are trapped in poverty and desperate for a whole-of-government approach to give them a hand up. We can and we must protect our precious environment without suffocating the economy.

A big part of this will require building private sector collaboration to promote common sense, smart regulation that will allow American innovation to continue to lead the world. If confirmed, under the EPA, with my leadership, we will prioritize compliance as much as possible. I believe in the rule of law, and I want to work with people to ensure they do their part to protect our environment.

Success is defined for many, including me, as leaving this world better than we found it. I want every child in this Nation, including my daughters and your children, to inherit a world with clean air, clean water, and a thriving economy. This mission must transcend politics, and I look forward to working with all of you to achieve it.

I thank you, Chairman Capito, Ranking Member Whitehouse, and all the members of this committee. I am eager to answer your questions and discuss the issues facing your constituents.

[The prepared statement of Mr. Zeldin follows:]

Thank you, Chairman Capito, Ranking Member Whitehouse, and all the distinguished members of this committee. It's been an honor to meet with you to learn more about your highest priorities. I look forward to working with all Senators on this Committee - on both sides of the aisle - to tackle the most-pressing issues facing our country.

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If confirmed, I want to work with all of you to address the unique environmental issues facing your state.

Not only do I want to partner with you, but I want to learn from you. I ask you all what a former Administrator asked a great Chairman of this Committee from my home state, Senator Daniel Patrick Moynihan. What advice would you give me as I undertake to lead EPA? I look forward to having this discussion with each of you.

The EPA must also be better stewards of tax dollars, honor cooperative federalism, and be transparent and accountable to Congress and the public.

The American people elected President Trump last November in part due to serious concerns about upward economic mobility and their struggle to make ends meet. Too many of our fellow Americans are trapped in poverty and desperate for a whole-of-government approach to give them a hand up. We can, and we must, protect our precious environment without suffocating the economy.

A big part of this will require building private sector collaboration to promote common sense, smart regulation that will allow American innovation to continue to lead the world. If confirmed, the EPA under my leadership will prioritize compliance as much as possible. I believe in the rule of law and I want to work with people to ensure they do their part to protect the environment.

Success is defined for many, including me, as leaving this world better than we found it. I want every child in this nation — including my daughters and your children — to inherit a world with clean air, clean water, and a thriving economy. This mission must transcend politics, and I look forward to working with all of you to achieve it.

I thank you, Chairman Capito, Ranking Member Whitehouse, and all the members of this committee. I am eager to answer your questions and discussing the issues facing your constituents.

Senate Committee on Environment and Public Works
Hearing Entitled, “Hearing on the Nomination of the Honorable Lee M. Zeldin to
be Administrator of the Environmental Protection Agency.”
January 16, 2025
Questions for the Record for The Honorable Lee M. Zeldin

Senator Curtis:

1. The United States District Court for the Northern District of California ordered EPA in September to “engage with a regulatory response” to a citizen petition to stop community water fluoridation. This was an extremely rare instance in which a judge disagreed with a federal agency and is now forcing EPA to regulate against its wishes. What is your view of how this might affect EPA’s authorities and mission more broadly?

Response: The courts play an important role in our system of government, which is ultimately defined by the separation of powers. If confirmed, I look forward to receiving a comprehensive briefing on this issue and how it impacts drinking water systems.

Senator Sullivan:

1. In 2009, the EPA declared a nonattainment area of portions of the Fairbanks North Star Borough, which failed to meet federal PM2.5 air quality standards. The state has submitted several proposals since then, but the EPA ruled that those plans were inadequate, and in December 2023, the EPA imposed sanctions. Finding a solution meant not only ensuring the safety of Alaskans but also evaluating the economic and lifestyle burdens that might be passed on to those who switch from more conventional methods of heating their homes. On January 8, the EPA made a favorable interim determination that the most recent state implementation plan (SIP) revisions satisfy outstanding Clean Air Act requirements and will remove the sanctions put in place last year. **Will you commit to upholding and supporting this favorable determination on the State of Alaska’s state implementation plan (SIP) revisions for the Fairbanks North Star Borough?**

Response: While I cannot prejudge the outcome of any particular issue that I might be called on to address if I am confirmed as Administrator, this is a promising development and any state regulation that satisfies the law and protects public health should be supported.

2. The EPA has jurisdiction over permitting discharges into water and emissions into the air. Permits and authorizations, according to these authorities, often add time and regulatory requirements to business and infrastructure projects. A key concern in recent years has been the increasing amount of delays to do extended permitting application reviews and environmental challenges to issued permits. To that end, Clean Water Act Title 4 (401, 402, and 404) permits are a huge obstacle to the permitting of mining projects in Alaska. **Do you agree that EPA must find ways to more efficiently permit projects in a manner that can survive legal scrutiny and provide greater certainty to project proponents and citizens?**

Response: Yes. Congress has authorized the delegation of authority under numerous permitting

authorities. Streamlining the process for allowing states to take the reins in projects should be better promoted and encouraged.

3. Alaska has over 174 million acres of wetlands subject to federal jurisdiction – home to 63% of the waters subject to the Clean Water Act and 65% of the nation’s wetlands. While the WOTUS definition is a national concern, it is particularly problematic for Alaska because so much of the State is covered by water bodies and wetlands. Alaska also has unique issues concerning the extent of infrastructure and development generally, the geographic breadth of wetlands and permafrost, and the lack of comprehensive waterbody survey data, which present challenges not encountered by most states generally or in such magnitude. **In light of the Supreme Court’s decision in Sackett, do you commit to ensuring proper implementation of the law that considers Alaska’s unique geography rather than adopting the broad, unworkable, ambiguous standards?**

Response: Yes.

4. I have championed bipartisan efforts to combat the global challenge of marine debris: my Save Our Seas and Save Our Seas 2.0 Acts, passed during the first Trump Administration, are being implemented by EPA through recycling grants, recycling education, and other efforts. **If confirmed do you pledge to continue Save Our Seas implementation efforts, and follow-on legislative efforts to combat this challenge?**

Response: Yes.

5. Carbon capture has been an opportunity for bipartisanship in Congress, including the 45Q tax credit, as well as historic investments and regulatory support in the Bipartisan Infrastructure Law. In the IIJA, Congress created the opportunity for states to apply for primacy to approve Class VI carbon capture wells, including EPA grant funding to help states apply. Since enactment, many states have taken advantage of that grant funding but continue to face slow, years-long approval timelines. **As Administrator, do you commit to working with Congress and state governments to use EPA’s current authorities to improve the Class VI primacy application process and the overall permitting process for American energy projects?**

Response: If confirmed, I commit to working with Congress on these issues. States should take a lead role in these projects.

6. The trucking industry underwent two extremely stringent vehicle emissions regulations under the Biden EPA. Motor carriers, especially small business truckers, have expressed serious concerns about the cost and workability of both the agency’s 2022 NOx emissions rule and 2024 zero-emissions vehicle requirements, which set ambitious goals for trucking electrification, yet infrastructure like EV charging stations and grid capacity is inadequate in many regions. **Will you commit to working with Congress to ensure any EPA policies related to the trucking industry are practical and aligned with infrastructure readiness, preventing undue burdens on the industry?**

Response: Yes. The concerns you identify are important and I commit to working with Congress

and within the authorities that Congress has delegated to the EPA.

7. Recently, the EPA granted a waiver to the state of California to enforce amendments to their Commercial Harbor Craft Regulation. These regulations will mandate expensive equipment aboard tugboats and towboats critical to domestic and international commerce. The waiver was granted despite the U.S. Coast Guard's warnings that compliance with California's regulations poses a serious risk to mariners. When similar equipment was installed on trucks and school buses, they had a history of catching fire. Tugboats—especially those that operate offshore—don't have the option of pulling over so that drivers and passengers can escape. In addition, the Coast Guard raised serious questions about the regulation's impact on vessel stability and maneuverability. As you can see, this state regulation is hazardous to the safety of the men and women who work on commercial harbor craft. **As such, could I get your commitment to review the waiver and take all necessary steps to safeguard the lives of crewmembers aboard these vessels?**

Response: If confirmed, I commit to studying this issue and appreciate the gravity of these questions. Safety is a paramount consideration in regulations.

8. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is an international agreement that regulates the global movement of hazardous waste, plastic waste, and electronic waste. Because the U.S. is one of a small handful of countries not Party to the Convention, other countries can no longer freely trade these wastes with the U.S. This places U.S. recyclers at a significant disadvantage in the global recycling market. **If confirmed, will you commit to working with us to explore whether it is in the national interest for the U.S. to ratify Basel?**

Response: If confirmed, I commit to working with you to understand how EPA can improve how these waste streams move through commerce and better protect public health and the environment.

9. Alaska, like many other states, is an infrastructure-poor state when it comes to waste management. **Can you commit to working with me over your next four years as EPA Administrator to pursue commonsense opportunities to expand our domestic and, specifically, rural recycling capabilities and the necessary infrastructure?**

Response: Yes.

10. As required by statute, ozone NAAQS levels will need to be reconsidered in 2025. Lowering the ozone NAAQS below 70 parts per billion will seriously disadvantage manufacturers in the U.S. and make it significantly more difficult to make and expand investments that the U.S. will need to compete in the decades to come. **Can you commit to working with me on this NAAQS reconsideration, in order to balance the need for a clean environment and continued economic growth?**

Response: I commit to working with you and your staff.

11. This Committee has jurisdiction over both chemical and highway policies, and we are tasked with passing a highway reauthorization package, so we must ensure these vital infrastructure materials are protected and avoid unintended consequences when it comes to PFAS regulation. **As Administrator of the EPA, will you commit to work with me and this Committee to ensure we are aligned on sound policy to effectively tackle PFAS**

issues, without marginalizing the critical infrastructure to maintain and expand our surface transportation network?

Response: Yes.

Senator Wicker:

1. What steps will you take to streamline the federal registration process and ensure that EPA remains the primary authority?
 - a. What is your plan to ensure EPA policies remain grounded in sound science and promote innovation in sustainable agricultural practices?

Response: If confirmed, I commit to ensuring rulemakings are fair, deliberate, and receive the appropriate amount of public input.

2. Are you concerned about the negative impact that the proposed rule would have on our country's agriculture producers, food supply, and ultimately American consumers if finalized?
 - a. If so, what would you do to address those concerns as EPA Administrator?

Response: I am uncertain which rulemaking you are referencing but I look forward to working with you to implement rulemakings consistent with the rule of law.

3. As Administrator, how will you work with the regulated community to continue to update and refine the Rodenticide Strategy and the proposed interim decisions (PIDs) for eleven rodenticides to include stakeholder input on the feasibility of mitigation measures and measurable feedback on their effectiveness at minimizing exposure to nontarget wildlife, and to endangered species and their critical habitats?

Response: If confirmed, I look forward to working with you on this issue and learning more about how it impacts your constituents.

4. In February 2024, the Biden EPA set strengthened National Ambient Air Quality Standards (NAAQS) for Particulate Matter and in 2025 the EPA will need to reconsider ozone NAAQS levels. If confirmed, do you commit to implementing specific strategies and frameworks at the EPA that balance strengthened air quality regulations with the needs of the manufacturing sector?

Response: If confirmed, I commit to using all the tools at my disposal to ensure we don't have to choose between having clean air and having a strong economy.

Senator Boozman:

1. A company in my state owns and operates an RCRA permitted hazardous waste combustor in El Dorado, Arkansas. As a component of its waste minimization and sustainability efforts, the company began permitting a deep well in 2019. An Arkansas Department of Environmental Quality permit (ADEQ) and EPA No Migration Petition

approval are required to operate at the site. An ADEQ state permit application was submitted in 2019 and conditionally approved in 2020, pending approval of the EPA No Migration Petition. EPA Region 6 communicated to my constituent company that it typically takes two years for a no migration petition to be approved, and the expectation was that EPA would grant approval no later than 2022. This process has now been going on for six years, and, despite my constituent company's good faith efforts, a petition still has not been approved by Region 6. The delays by the current Region 6 leadership, and the current Administration, are unacceptable. These approval delays have also had a significant financial impact on my constituent company – more than \$10 million in total expenses to date. Your leadership and the Administration's leadership are greatly needed to cut through the bureaucratic red tape at the EPA. I would be grateful for your assistance, and the assistance of your new Region 6 team once it is in place, in helping to expedite the timely approval of this no migration petition so this critical project in Arkansas can move forward. As you settle into your position, will you commit to me that petitions, like this, will continue to move forward and not experience unnecessary delays?

Response: I commit to promoting efficient decision making and improving how we deliver projects.

Ranking Member Whitehouse:

1. During the hearing, I laid out some of the donors to American First Policy Institute (AFPI) and America First Works (AFW), but I also noted that most of these organizations' donors are not public. You are currently the Chair of AFPI's Pathway to 2025 initiative and serve as a member of the board of AFW. Please provide the Committee with a list of the top 20 donors to both the AFPI and AFW for each of the last four years.

Response: As you may understand, being a member of a board or participant in individual programs for an organization does not always mean one is involved in the making of books for an organization. As such, I will direct you to the representatives of the respective organizations to better respond to your question.

2. It's also been reported that AFW has given \$4.8 million to Donors Trust,¹ an identity laundering organization. Please provide the Committee a list of the top 20 ultimate² recipients of money from AFW for each of the last four years.

Response: As you may understand, being a member of a board or participant in individual programs for an organization does not always mean you are involved in the making of books for an organization. As such, I will direct you to the representatives of the respective organizations to better respond to your question.

¹ Pro-Trump nonprofit gives millions to groups boosting his agenda, Carrie Levine, Public Integrity, Nov. 20, 2021, <https://publicintegrity.org/politics/pro-trump-nonprofit-gives-millions-to-groups-boosting-his-agenda/>²In this instance, "ultimate" is defined to mean the recipient that benefited from the funds, not a pass-through entity such as Donors Trust.

3. If confirmed as EPA Administrator, do you commit to recuse yourself from any matters in which any of the donors to AFW and/or AFPI have a pecuniary interest?

Response: I commit to consulting counsel in all matters of ethics to promote and protect the public trust.

4. If confirmed as EPA Administrator, do you commit to not meeting with any representatives of AFW, AFPI, or any of their donors for the next two years?

Response: I commit to consulting counsel in all matters of ethics to promote and protect the public trust.

5. The homepage for AFW states, "The American Dream is being challenged by a powerful few, the "elites", who exploit their positions at the expense of the People." I agree. The largest disclosed donor to AFW appears to be the Pharmaceutical Research and Manufacturers Association of America (PhRMA), which has given AFW at least \$2.5 million.³ PhRMA is a trade association that represents large pharmaceutical companies.

- a. Do you believe that giant corporations and their trade associations are part of the "elite?" Please explain why or why not.

Response: Individuals and organizations have the constitutional right to petition their government. Associations or corporations are no different. I commit to being fair and even handed in my execution of the law, if confirmed as Administrator.

- b. Do you believe that giant corporations and their trade associations generally represent the interest of the American people? Please explain why or why not.

Response: The American people have the constitutional right to petition their government. The law allows them to do so through associations or corporations. I commit to being fair and even handed in my execution of the law, if I am confirmed as Administrator.

6. In economics, is it considered a subsidy to allow an industry to pollute for free? Do you agree that, in market economics, the cost of negative externalities should be built into the price of a product?

Response: I am not an economist but I look forward to working with you to better understand your question, if confirmed.

7. The International Monetary Fund (IMF) estimates that the negative externalities associated with fossil fuels cost over \$700 billion per year in the U.S. alone.⁴ Should polluters pay for those costs or should American taxpayers?

Response: Whether positive or negative externalities should be internalized by the company or externalized is a decision for Congress, which establishes our laws. If confirmed as Administrator, I will abide by the laws established by Congress.

8. You have been very supportive of the Fire Island to Montauk Project, or FIMP. This project has a total cost of \$2.4 billion, of which roughly \$1 billion has been dedicated to elevating 4400 homes to protect them from sea level rise. The remaining money is for beach replenishment and other efforts to stabilize and protect the shoreline from rising

seas and increasingly frequent and severe storm surges.⁵ FIMP spans approximately 80 miles of coastline, from Fire Island Inlet to Montauk Point. According to NOAA, the total U.S. saltwater coastline is roughly 90,000 miles. As a rough thought exercise, let's imagine that we were to undertake similar efforts along the entire coast, understanding that some portions of our coast are more or less vulnerable to sea level rise than is the Suffolk County coast. The cost of FIMP works out to \$30 million per mile. At 90,000 miles, if we were to replicate this for our entire coastline, that would work out to a total cost of \$2.7 trillion. While FIMP is obviously very important to the people of Suffolk County, do you think we can afford to undertake similar efforts along our entire coastline?

Response: No, but a one-size-fits-all approach is not how we should mitigate risk. I look forward to working with communities throughout this country to protect human health and the environment.

³ America First Works, SFOFExposed, <https://sfofexposed.org/america-first-works/>

⁴IMF Fossil Fuel Subsidies Data: 2023 Update, Black et al., IMF Working Paper, Aug. 24, 2023 <https://www.imf.org/en/Publications/WP/Issues/2023/08/22/IMF-Fossil-Fuel-Subsidies-Data-2023-Update-537281>

⁵Rising tides are coming for Lee Zeldin's hometown, Miranda Willson, Dec. 19, 2024, <https://www.eenews.net/articles/rising-tides-are-coming-for-lee-zeldins-hometown/>

9. You once defended a decision to halt work on a beach replenishment project on Fire Island so that unrelated environmental work could be done at Mar-a-Lago.⁶ Was that a political or scientific decision?

Response: The Army Corps of Engineers assured my office that both projects they were involved in, one at Westhampton Beach and the other at Point O' Woods and Ocean Bay Park, would be completed before their initial deadlines of June 19th, 2020. These projects were completed on March 13th, 2020, and June 11th, 2020, respectively, both ahead of deadline.

10. On your OGE Form 278e, which is public, you list yourself as a Director of Plymouth Union Public Research based in Washington, DC. What is Plymouth Union Public Research, who comprises its leadership, and who are your fellow Board members?

Response: This is a recently formed 501(c)(6), with final details being worked on.

11. On your OGE Form 278e, you list the following entities as clients of your consulting company, Zeldin Strategies:

- a. New York Cancer and Blood Specialists;
- b. Amneal Pharmaceuticals;
- c. Americans for Transparency and Accountability;

- d. Elections LLC;
- e. RSL Management Corp;
- f. Job Creators Network;
- g. Softheon;
- h. America First Policy Institute;
- i. Richard Kurtz;
- j. Building America's Future; and
- k. Marwood Group.

⁶ Dredging Up a Load of Controversy, The East Hampton Star, Feb. 27, 2020, <https://www.easthamptonstar.com/government/2020227/dredging-load-controversy>

For each of these identified clients, please answer the following questions:

- a. What was the nature of the work completed on behalf of the client?

Response: Consulting Services.

- b. Does the client remain an active client of Zeldin Strategies?

Response: Clients a, b, h, and j for now while I am still pre-confirmation.

- c. Did any of the work completed on behalf of the client include seeking to influence President-elect Donald Trump (whether before or after November 5, 2024) or his advisors?

Response: Zeldin Strategies does not participate in any lobbying.

- d. Did any of the work completed on behalf of the client relate in any way to work that may be relevant to the jurisdiction of the Senate Committee on Environment and Public Works?

Response: No.

12. During the hearing, it was claimed that the U.S. has been the world leader in reducing global emissions of CO₂ since 2005. However, when you include other greenhouse gases and consider emissions per capita, in 2022 the U.S. on a per person basis emitted more than 50% more greenhouse gasses than the UK, Japan, Germany, the EU as a whole, Indonesia, India, and China. When you consider greenhouse gas emissions per unit of GDP (i.e., emissions intensity), the U.S. fairs better but still has a significantly higher emissions intensity than the UK, Japan, Germany, and the EU.⁷

a. Would you agree that these two metrics – greenhouse gas emissions per capita and greenhouse gas emissions per unit of GDP – are better metrics for benchmarking our decarbonization progress relative to other countries?

Response: I would have to confer with the scientists, economists, and other technical experts at EPA to make a judgment on this question.

b. Moreover, since their origin has no bearing on the warming effect of greenhouse gas emissions and since a significant share of global greenhouse gas emissions is the result of the manufacturing of goods that are ultimately imported into the U.S., would you agree that the most important metric for evaluating our progress on mitigating climate change is the rate at which global greenhouse gas emissions are rising or falling?

Response: I would have to confer with the scientists, economists, and other technical experts at EPA to make a judgement on this question.

c. And since global greenhouse gas emissions continue to increase, would you agree that collectively more needs to be done to limit these emissions?

Response: It is an important goal to reduce air emissions generally. Any emissions limits imposed by EPA must be consistent with applicable law.

13. The Methane Emissions Reduction Program (MERP) is a partnership between the U.S. Department of Energy (DOE), the EPA, and the National Energy Technology Laboratory (NETL). Under the program, Congress provided \$1.36 billion in financial and technical assistance to improve methane emissions monitoring and reduce methane and other greenhouse gas emissions from the oil and natural gas sector. A key to deploying technology to reduce methane emissions is knowing the source of those emissions, and

⁷ GHG Emissions of all world countries: 2023 report, European Commission, https://edgar.jrc.ec.europa.eu/report_2023?vis=ghgpop#emissions_table

we have ground-level sensor, aerial, and satellite data that can help us pinpoint those sources. If confirmed, will you commit to ensure that both companies and communities are able to collect and access empirical emissions data and participate in monitoring methane emissions?

Response: Using technology to understand and improve environmental outcomes is important. If confirmed as Administrator, I look forward to learning more from EPA's expert staff and from my colleagues in other departments of the government about these monitoring technologies.

14. Methane emissions from the oil and gas sector are a large source of the greenhouse gas pollution that is driving climate change. Methane is also the main component of natural gas. Leaked, vented, and flared methane is wasted natural gas that could have been captured and sent to market. Capturing this escaped or wasted methane would therefore increase natural gas supplies and reduce the cost of natural gas.

a. Do you believe that the oil and gas industry's practices with respect to leaked, flared, and vented methane should be unregulated?

Response: EPA, along with other agencies like the Department of the Interior and state governments, have a role in ensuring that our natural resources are developed responsibly.

b. As a general matter, do you believe it is sound stewardship to waste a large percentage of a product?

Response: As a general matter, I do not think it is in a company's interest to waste its product when there is a better available use for that product.

15. EPA's current rules regulating methane emissions include a super-emitter program which allows third parties with access to satellite or other data to alert EPA to large methane emission events. Under the program, EPA must then alert operators to these emissions and the operators must then perform inspections and eliminate emissions sources that they find. This program will reduce greenhouse gas pollution as well as localized air pollution that harms frontline communities.

a. Do you pledge to implement the super-emitter program if confirmed as EPA Administrator?

Response: If confirmed as Administrator, I will review this and other programs and implement them to the extent that they are authorized under the statutes that Congress has enacted, are supported by the evidence in the record, and protect the environment in a cost-effective and appropriate way.

b. Do you pledge that EPA will rapidly process applications from third party monitors that wish to be certified under the super-emitter program?

Response: EPA should avoid unnecessary delay in carrying out any of its functions, but the Agency also cannot sacrifice quality and legitimacy.

16. Under the MERP, oil and gas companies whose methane emissions surpass certain allowable thresholds are required to pay a waste emissions charge (WEC) starting in 2025 based on 2024 emissions. Do you commit to faithfully collect this charge based on what is owed for 2024 methane emissions?

Response: If confirmed as Administrator, I will follow the laws that Congress has enacted.

17. Congress passed bipartisan legislation to phase down polluting refrigerants, known as the AIM Act, and ratified the Kigali Amendment to the Montreal Protocol to ensure that the U.S. could lead in providing the cleaner refrigerants we produce in the U.S. to the rest of the world.

a. Will you make implementation of the AIM Act, which requires an 85% phasedown of HFCs by 2036, a top priority for EPA under your leadership?

Response: As I stated at the hearing, if confirmed it will be my duty to follow my obligations under this law and every law that Congress has duly enacted to delegate responsibilities to the Agency.

b. In 2024, EPA undertook a number of enforcement actions against illegal importation of HFCs. Will you continue to make enforcement a priority?

Response: Ensuring compliance and enforcing where appropriate are important tools at EPA's disposal. Curbing illegal importation of these or any other substances is part of following the rule of law.

c. Are you familiar with the next generation of refrigerant chemicals? If confirmed, will you work with the Committee to help ensure that this next generation of chemistry is developed and scaled in the U.S.?

Response: If confirmed, I look forward to working with EPA's expert staff to explore these new technologies. Ensuring that our nation has a growing industrial base, including in the latest scientific developments, is an important part of the President's agenda and of EPA's role, and I look forward to working with the Committee in this regard.

18. In June 2023, the Clean Air Scientific Advisory Committee (CASAC), a panel of independent experts, indicated that the current National Ambient Air Quality Standard (NAAQS) for ground level ozone does not adequately protect public health or the environment. The Clean Air Act mandates that EPA set primary ambient air quality standards based solely on the latest science in order to properly protect public health, including the health of sensitive and at-risk populations with an adequate margin of safety. CASAC noted that "based on the scientific evidence currently available, it is concluded that the level of the current standard [70 ppb] is not protective with an adequate margin of safety" and that a limit of 55 to 60 ppb "is more likely to be protective and to provide an adequate margin of safety."

a. Do you commit to using the latest science in order to properly protect public health when setting the primary and secondary standards for ground-level ozone NAAQS?

Response: Congress in the Clean Air Act requires the Administrator to periodically review NAAQS standards and determine whether it is appropriate to revise them, taking into account CASAC's views as well as public comment. I understand that Congress has delegated to the Administrator the task of determining what are the safe concentrations of this and other pollutants of concern, informed by expert advice and guided by the public's input and the scope of the task assigned to the Administrator by Congress.

- b. Do you commit to including the health of sensitive and at-risk populations, such as children, outdoor workers, the elderly, and frontline and fenceline communities, when promulgating ground-level ozone NAAQS?

Response: If confirmed as Administrator, I will work to protect the health of all Americans, including the most vulnerable among us.

- c. What are the health effects of long-term exposure to ground-level ozone?

Response: I am aware that EPA has identified potential health risks from exposure to ground-level ozone, including respiratory symptoms, that are subject to variables such as the concentration and duration of exposure. If confirmed, I look forward to being briefed by EPA's career staff experts on the effects of ground-level ozone exposure.

- d. Do you agree that frontline and fenceline communities are more likely to be affected by ground-level ozone? Why is this so?

Response: Air quality is an issue that affects us all. If there are areas with especially poor air quality, that is a matter that requires careful study to determine the nature of the problem and what tools Congress has given the Agency to best address it.

- e. Do you commit to finalizing a stronger ground-level ozone NAAQS before the end of 2025?

Response: It would be inappropriate for me to commit to taking any particular action at this stage; I cannot prejudge the outcome of this or any other rulemaking. I will work with EPA's expert staff and follow the law and the evidence in the rulemaking record.

19. Do you commit not to attempt to claw back already-obligated EPA grant funding, unless concrete evidence of misuse of funds is established?

Response: I cannot prejudge outcomes, but I believe as EPA Administrator I have the responsibility to be a good steward of tax dollars.

20. Do you commit to upholding the memorandum of understanding signed by EPA and the Department of Labor to ensure high-road labor standards on federally funded projects?

Response: It is critical to work cooperatively with other agencies across the federal government. I have not reviewed this memorandum of understanding; however, if confirmed, I commit to reviewing it.

21. You stated in your opening remarks that you are a supporter of my efforts with Senator Sullivan on our Save our Seas and Save our Seas 2.0 legislation. Save Our Seas 2.0

included several grant programs at EPA aimed at improving domestic infrastructure to prevent marine debris. Do you commit to advocating for full funding for all grant programs within EPA jurisdiction that were created in Save Our Seas 2.0?

Response: While serving in Congress, I was proud to support the Save our Seas and Save our Seas 2.0 legislation. While funding decisions are the responsibility of Congress, I commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

22. Do you agree that reducing virgin plastic creation is necessary to end the plastic pollution crisis?

Response: The key to reducing pollution is getting the key parties responsible for pollution to stop polluting. I look forward to working with you to identify methods for working with our international partners in reducing plastic-related pollution.

23. According to the EPA, only about 9 percent of the plastic we generate is recycled, although other groups have estimated that even 9 percent may be an optimistic figure. As EPA administrator, what are you going to do to improve this statistic?

Response: I am aware that EPA has long viewed recycling as beneficial to our environment. For example, EPA has stated that recycling efforts reduce the need to extract new natural resources, reduce greenhouse gas emissions, conserve energy, and divert waste from landfills. EPA administers a number of voluntary programs to promote recycling and the circular economy. I look forward to learning from EPA's experts on this subject about the ways that our rate of plastic recycling can be improved.

24. The Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) provide crucial financial assistance for States and water utilities to protect aquatic ecosystems, meet infrastructure needs, and ensure that safe drinking water is available for all Americans. Will you commit to advocating for robust CWSRF and DWSRF funding from Congress on behalf of the agency?

Response: I am aware of the important role that the State Revolving Fund programs play in assisting states with water infrastructure needs. While funding decisions are the responsibility of Congress, I commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

25. On November 11, 2024, you wrote on X, "It is an honor to join President Trump's Cabinet as EPA Administrator. We will restore U.S. energy dominance, revitalize our auto industry to bring back American jobs, and make the U.S. the global leader of AI. We will do so while protecting access to clean air and water."

a. The U.S. is now the largest producer of oil and gas and is a net petroleum exporter. Given this, how would you define U.S. "energy dominance"?

Response: Energy dominance describes a circumstance in which the United States is not dependent on energy from other countries, including adversaries like Iran, Russia, and Venezuela. Energy dominance is a matter of environmental stewardship as well as national security. Imported energy may not benefit from the same degree of

environmental rigor that we practice in this country, it affects the price Americans pay for energy, and it increases our geopolitical vulnerability.

- b. To truly achieve dominance shouldn't we be focusing on expanding our capacities—both in terms of generation and supply chains—for energy sources where we are not currently the leader, like renewables (onshore wind, offshore wind, solar, geothermal) and nuclear (both conventional and small modular reactors)?

Response: As I stated in the hearing, I believe in an all-of-the-above energy approach.

- c. The U.S. has some of the best solar and wind resources in the world, and due to the fact that the country spans a continent and multiple time zones, solar and wind power can be generated and sent to places where the sun is not shining or the wind is not blowing. Does “energy dominance” as you define it include exploiting our solar and wind resources to their full potential?

Response: As I stated in the hearing, I believe in an all-of-the-above energy approach.

- d. You opposed the Biden administration's pause on the permitting of new LNG export terminals. Do you support a pause on the permitting of new offshore wind projects?

Response: I cannot prejudge the outcome of any particular permitting decision that may come before the Agency.

- e. Do you support a federally-imposed halt on the construction of already-permitted offshore wind projects?

Response: Many agencies regulate offshore wind projects. To the extent EPA has a role in that regulation, I commit to following the law.

26. Approximately 16 million new passenger cars and light-duty trucks were sold in the U.S. in 2024 and about 10 million were produced here. By comparison, S&P estimates that global vehicle sales reached 88.2 million in 2024, of which about 13% were EVs. They project that EV sales will continue to rise to 15.1 million units or 17% of new vehicle sales in 2025. By contrast, S&P projects that global sales of internal combustion engine vehicles will shrink by 3% this year. In China, the largest consumer market for new vehicles—as well as our largest competitor in the global autos market—nearly half the vehicles sold last year were EVs.

- a. As we work to revitalize our auto industry, shouldn't we be working to capture as much of the global market and the segments of the market that are growing as possible?

Response: I share your concern that our national policies should promote American industry.

- b. In your view, should we compete with China over this market, or should we cede dominance to them?

Response: We should never cede dominance to any other country. Nor should we necessarily

base our policies on imitating our competitors.

- c. And if we do choose to compete, which I believe we should, doesn't that require us and our auto manufacturers to have a comprehensive strategy for expanding EV production—most of which are currently manufactured in China and are dependent on Chinese supply chains?

Response: I share your concern that our supply chains should not be dependent on China and that we should encourage American manufacturing.

27. President-elect Trump and a number of his cabinet nominees have called for expanding U.S. oil and gas production. In several posts on X, you have called for the U.S. to become "energy independent" by increasing domestic energy production. Again, the U.S. is the largest producer of oil and gas and is a net petroleum exporter. While the U.S. continues to import crude oil, this is due largely to a mismatch between the type of oil (namely its viscosity and sulfur content) produced in the U.S. and the capacity of U.S. refiners to process that oil.

- a. How would you define "energy independence" in this context?

Response: Energy independence means reducing our reliance on foreign energy sources, which are typically produced in less environmentally friendly ways than in the United States.

- b. Why would further expanding domestic oil production unlock that independence?

Response: The more energy we produce at home, the less dependent we are on energy from abroad.

- c. Shouldn't the focus instead be on petroleum refiners to retool so that they can better process U.S. crude and thus reduce our reliance on foreign oil from countries like Saudi Arabia and Venezuela?

Response: It is important that the United States be energy independent. The refinery process is a complex issue and if confirmed as Administrator I will follow all legal requirements, including with respect to whether petroleum refineries can better process U.S. crude relative to foreign oil.

28. During the hearing, you affirmed that you would follow the law. Section 328(a)(1) of the Clean Air Act requires the EPA to control air pollution from outer continental shelf resources in order to attain and maintain ambient air quality standards. As Administrator, do you commit to following this legal requirement?

Response: If confirmed, I will follow all legal requirements.

29. Your home state of New York receives electricity from our nation's first commercially operational wind farm, South Fork Wind. President Trump has threatened to halt the offshore wind industry. According to the Federal Permitting Dashboard, seven offshore wind projects need to obtain an EPA air permit.

- a. Pursuant to your authorities under the Clean Air Act's Section 328(a)(1), will you

issue timely permits for these pending offshore wind projects?

Response: Reaching timely decisions on permits is a high priority for the Administration. If confirmed as Administrator, my goal is for EPA to provide timely permit decisions consistent with the legal requirements.

b. Pursuant to your authorities under the Clean Air Act's Section 328(a)(1), will you continue to issue timely permits for future offshore wind projects?

Response: The President has made it very clear that in general reaching timely decisions on permits is a high priority. If confirmed, my goal is for EPA to provide timely permit decisions consistent with the legal requirements.

30. Over the last ten years, your home congressional district and its neighboring district received nearly \$500 million in coastal resilience funding. That is just from the Army Corps of Engineers, and it does not include all of the \$2.4 billion in federal funding for the Fire Island to Montauk Point project.

a. Do you acknowledge that our coastal communities require substantial financial investments?

Response: Yes.

b. Do you acknowledge that climate change will require more dedicated resources for our coastal communities?

Response: Yes.

c. As the EPA Administrator, will you commit to supporting and growing programs at EPA that assist our vulnerable coastal states and constituents?

Response: If confirmed, I look forward to working with you and Congress to better understand the unique interests and goals of all our communities to ensure EPA is meeting and exceeding their needs.

d. Will you advocate for the needs of coastal states in discussions with other Agency leads and with the Administration?

Response: If confirmed, I will ensure that EPA is meeting the needs of all communities, consistent with the law.

e. As a long-time support of the upland and inland Land and Water Conservation Fund, would you support more dedicated funding toward its coastal sibling, the National Oceans and Coastal Security Fund?

Response: Although Congress determines funding levels, I commit to working with you on the issue.

31. Project 2025 proposes to dismantle the National Oceanographic and Atmospheric Administration which could have devastating consequences to our coastal states.

Regardless of whether you have read Project 2025, do you support its recommendation to dismantle NOAA?

Response: I have not read any of Project 2025's recommendations, including with regard to NOAA. If confirmed, I commit to working with other federal agencies and departments across the executive branch, including NOAA, to achieve EPA's mission. I defer to Congress as well as the Secretary of Commerce and NOAA Administrator on questions related to the organization and structure of NOAA.

32. Project 2025 also proposes to downsize the Office of Oceanic and Atmospheric Research, which includes program offices studying sea level rise, as well as the NOAA Sea Grant Program, which you have previously supported. Regardless of whether you have read Project 2025, do you support its recommendation to downsize the OAR office?

Response: I have not read any of Project 2025's recommendations, including with regard to the Office of Oceanic and Atmospheric Research within NOAA. If confirmed, I commit to working with other federal agencies and departments across the executive branch, including NOAA, to achieve EPA's mission. I defer to Congress, as well as the Secretary of Commerce and NOAA Administrator, on questions related to the organization and structure of NOAA.

33. You've been a long-time vocal supporter of EPA's National Estuaries Program. In fact, you co-founded the National Estuary Caucus, cosponsored a resolution to designate a National Estuaries Week, and pushed for National Estuary Program reauthorization. Given your experience with the Long Island Sound and the Peconic Estuary, you undoubtedly know how important this and other programs at EPA are to protecting our waters.

- a. What will you do to safeguard these programs at EPA?

Response: The National Estuaries Program is a non-regulatory program established by Congress under section 320 of the Clean Water Act, designed to improve the waters, habitats, and living resources of 28 estuaries across the country. If confirmed as EPA Administrator, I look forward to working closely with EPA's career professionals on administering this program and others that affect our nation's estuaries in a manner consistent with the law.

- b. Will you guarantee that the National Estuaries Program at EPA will not see a funding cut?

Response: While funding decisions are the responsibility of Congress, including as to the National Estuaries Program, I commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

34. In a 2018 op-ed, you wrote about EPA grants that would assist your district in collecting nearly 3,000 pounds of floating trash from the Long Island Sound. We can all agree that nobody wants to see trash washing up on the shores of their state or district. The EPA has an important role in preventing plastic pollution. What will you do to safeguard the programs at EPA that improve recycling, clean up our waterways, and tackle the issue of plastic pollution?

Response: I look forward to working on this important issue if confirmed as Administrator,

including by working with EPA's State, Tribal, and local government partners.

35. Project 2025 proposes to eliminate the Office of Environmental Justice and External Civil Rights.

a. Do you believe that there are communities that have been over-burdened?

Response: I believe that every American deserves access to clean air and water, and I commit to working hard to meet the needs of all communities, consistent with the law.

b. Do you believe that frontline and fenceline communities deserve an office that works with them to correct those historical wrongs and give them the rights of other Americans to a clean and healthy environment?

Response: I believe all communities have a right to a clean and healthy environment.

c. Regardless of whether you have read Project 2025, do you support its proposal to eliminate the Office of Environmental Justice?

Response: I have not read Project 2025. I cannot prejudge outcomes.

36. During the last Trump Administration, EPA Administrator Scott Pruitt altered the membership rules for serving on the EPA Science Advisory Board, resulting in a significant decrease in academic expertise and an increase in members with ties to the fossil fuel and chemical industries. Similarly, Project 2025 calls for a resetting of the EPA Science Advisory Board.

a. Do you plan to restructure the Science Advisory Board?

Response: While I cannot speak to specifics regarding any EPA advisory committee, I can say that it is important to consider input from people with a variety of backgrounds and areas of expertise when EPA makes decisions. If I am confirmed, I look forward to being briefed on the Science Advisory Board's current composition and role.

b. Do you recognize the need for trained expertise that is free of industry-related conflicts of interest?

Response: I recognize the importance of ensuring that government policy is insulated from any inappropriate conflict of interest.

37. Project 2025 has called for increased transparency in the data and science used by the EPA. While open science is important, there may be times when the data used for regulations cannot be publicly shared, such as protected health data (e.g., the NHANES dataset).

a. Do you believe that the EPA should use health data to make decisions?

Response: I believe that EPA should use the best available data, and that transparency is an important principle of good government that may inform what is the best data for a particular regulatory purpose.

- b. Do you believe that the inability to publicly share protected health data should be a barrier the use of scientific studies that rely on such data in rulemaking?

Response: Promoting public health and the environment is EPA's mission. Protecting public trust is critical to protecting the actions of the Agency. I cannot prejudge the appropriate use of scientific studies in the abstract, but if confirmed I am committed to appropriate use of scientific studies at EPA.

38. As you may know, the precautionary principle encourages caution when there is an absence of scientific knowledge or consensus about the effects of a hazard on public health or the environment. Project 2025 calls for revising risk management policies, including how the EPA makes determinations about the risk that chemicals pose on human health. Do you support using the precautionary principle when making decisions about chemicals that will be widely released into the environment and come in contact with the American public?

Response: If confirmed, I commit to ensuring that decisions regarding the potential risk of chemicals to the human health or the environment use the best available science.

39. Do you believe that chemicals should be thoroughly reviewed before being introduced to market and that, in its determinations, the EPA should prioritize the best available, science-based risk models?

Response: The Toxic Substance Control Act requires that the EPA review and determine if a new chemical substance presents an unreasonable risk of injury to human health or the environment before introduction to the market. If confirmed, I will commit to ensuring that the review uses the best available science.

40. Will you support the continued use of EPA's long-standing and peer-reviewed risk and cost assessment methods and reject proposals to adopt methods that exaggerate costs and ignore categories of harm?

Response: If confirmed, I will require that EPA use risk- and cost-assessment methods that are appropriate to the regulatory context, and I will prohibit the use of methods that inappropriately over- or under-count costs or benefits.

41. Do you believe that any updates to risk management policy should be openly and transparently reviewed by experts and subject to public comment before adoption?

Response: If confirmed, I commit to ensuring that EPA complies with all transparency requirements that apply to EPA's policies.

42. President-elect Trump shared that, as Administrator, "you will ensure fair and swift deregulatory decisions that will be enacted in a way to unleash the power of American businesses." During his last Administration, President Trump rolled back over 100 environmental regulations, many governing clean air.

- a. Do you agree that poor air quality contributes to negative health effects?

Response: Yes.

- b. Do you agree that setting strong air pollution standards is important to reduce public health risks?

Response: Yes.

- c. What steps will you take as EPA Administrator to ensure that Americans are not needlessly exposed to air pollution that will exacerbate public health risks?

Response: I cannot prejudge outcomes, but if confirmed I will uphold my obligation to fulfill the important requirements of the Clean Air Act.

d. You stated at your confirmation hearing, in response to questions from both Senator Ricketts and Senator Markey about your plans for EPA's existing tailpipe emissions standards, that you could not prejudge whether you would reverse them or preserve them. Yet President Trump has promised that he (and by extension you, should you be confirmed as EPA Administrator), will reverse these standards. If reversal of these standards is not supported by the factual, scientific, technical, and economic analysis, will you reverse EPA's tailpipe emissions standards?

Response: If confirmed, I will follow the law, the facts, and the science when making and reconsidering policy decisions.

- e. As a general matter, do you think more fuel efficient (and less emissive) vehicles are a positive or negative?

Response: As a general matter, we all appreciate going further on a dollar. We also all appreciate environmental protection, consumer choice, cheaper vehicles, safer vehicles, and more reliable vehicles. EPA's role is to balance all these considerations in crafting its regulations.

- f. As a general matter, do you believe that the government should take steps to improve vehicle fuel efficiency and reduce emissions (both carbon dioxide and criteria air pollutants) from vehicles?

Response: As a general matter, Congress has passed laws to address these issues and those laws should be faithfully executed.

43. Modern aquatic science has demonstrated time and time again that adjacent wetlands and other non-perennial bodies of water have significant impacts on water quality and ecology of traditionally navigable waters. Given that the water quality and quantity of traditionally navigable waters depend on the status of adjacent wetlands and intermittent streams, how do you plan to leverage and protect their value to navigable waters—especially as it pertains to water bodies that cross State lines?

Response: Under the Clean Water Act, the federal and state governments each have important

roles to play. Regulators at all levels of government and stakeholders in all sectors of the economy have a shared interest in preserving our water resources while allowing for responsible development.

44. Roughly a third of the water workforce is within 5-10 years of retirement, and there are considerable challenges associated with recruitment, retention, and training of utility operators.

a. Will you support allocating funding to address this major issue?

Response: If confirmed, I will ensure that the Agency follows the law concerning expenditures of money appropriated by Congress.

b. Do you believe that this is an issue that should be prioritized by the agency?

Response: While I cannot prejudge priorities, succession planning is an appropriate action by any organization.

45. In 2015, you voted to require the EPA to develop a plan to manage risks associated with algal toxins in drinking water. Will you support continued research and action throughout the agency on this topic, including the Office of Water and the Office of Research and Development?

Response: Risk management is vital to public health. If confirmed, I look forward to working with states and drinking water systems to determine how best to address hazards posed to drinking water.

46. Will you support programs like WaterTA that provide technical assistance to utilities to help them manage water quality challenges, like algal bloom response?

Response: EPA plays a vital role in providing technical assistance to stakeholders to enhance environmental outcomes. If confirmed, I look forward to learning more about these programs from EPA's dedicated experts.

47. In 2020, you voted against reauthorizing funding for lead service line replacement projects. New York, as you may know, has nearly 500,000 lead service lines.

a. Do you believe that replacing lead service lines should be a priority for the administration?

Response: Mitigating risk posed to public health comes in many forms. I understand that lead service line removal is one approach to reduce childhood lead exposure from drinking water. Replacing all lead service lines may not resolve all lead contamination in this country due to things like premise plumbing. This means that a combination of solutions may be necessary. I commit to supporting local communities in identifying the best solution for their unique needs.

- b. Do you believe that funding is needed to help water utilities and municipalities complete lead pipe replacements?

Response: I cannot prejudge funding needs.

- c. If the Lead and Copper Rule Improvements (LCRI) are challenged in court, will you continue to support efforts and enforce a timeline to replace lead service lines?

Response: I am aware that EPA first issued a national primary drinking water standards for lead in 1991, and EPA during the Trump Administration's First Term updated that rule for the first time in three decades. I am also aware that EPA issued further revisions to this rule in 2021 and again in 2024. I understand that this rule is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it, as it does from time to time. It would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

- 48. The Bipartisan Infrastructure Law allocated \$15 billion to be distributed through the Drinking Water State Revolving Funds to replace lead service lines, though current estimates suggest that it will take \$46 to over \$90 billion to complete this effort. Will you commit to using all of the allocated money for its intended purpose?

Response: If confirmed, I commit to allocating resources provided by Congress.

- 49. Without sufficient funding, some utilities may increase customer rates to account for the expense of pipe replacements.

- a. Do you believe that addressing the issue of water affordability is important?

Response: Yes.

- b. Do you believe that all Americans should be able to afford tap water?

Response: Yes.

- c. Will you commit to supporting research, technical assistance for utilities, and other agency efforts to combat water affordability issues?

Response: If confirmed, I commit to learning about EPA's role in supporting research, technical assistance, and other efforts to combat water affordability issues and acting appropriately.

- 50. Recent EPA surveys found that the nation must invest \$630 billion in its wastewater and stormwater systems, and \$625 billion in its drinking water systems, over the next twenty years just to meet existing health and environmental standards.

- a. How will you work with Congress to ensure that critical federal water infrastructure programs are fully funded?

Response: If confirmed, I will work to ensure Congress has the information needed as funding is allocated and will execute as directed by law.

- b. What metrics will you use to evaluate whether states are investing federal water infrastructure funds effectively, and what oversight mechanisms will you use to hold them accountable for achieving those benchmarks?

Response: States are already required to submit implementation plans. If confirmed, I will work with states to ensure they have the resources to effectively serve people and deliver clean and safe water.

51. The Emerging Contaminants in Small or Disadvantaged Communities grant program is crucial to supporting access to safe drinking water in communities across America.

- a. Will you commit to ensuring that all money allocated to this program through the Bipartisan Infrastructure Law is used for its directed purpose?

Response: If confirmed, I will ensure that the Agency follows the law concerning expenditures of money appropriated by Congress.

- b. Do you believe that additional support, both financial and technical training, is needed to help small and disadvantaged communities meet regulatory standards?

Response: If confirmed, I look forward to being briefed on the issue.

- c. Do you intend for the EPA to continue to provide this support?

Response: I cannot prejudge outcomes.

52. The PFAS Action Act also required EPA to classify PFAS as hazardous substances under CERCLA. In fact, with regards to the PFAS Action Act, you are quoted as saying: "With Long Island identified as the area with the most amount of emerging contaminants in our drinking water compared to the rest of New York State, all levels of government must act with urgency to help protect local families' drinking supplies. This is the drinking water for so many Long Islanders. Failure to act is not an option, and passage of this important legislation is a critical step to ensure local families have safe and clean drinking water." Can you give this Committee your commitment that, if confirmed, you will use your position to ensure protections for all U.S. families from PFAS and ensure that PFAS polluters pay?

Response: As I mentioned during my confirmation hearing, when I represented New York's First District in Congress, I was a member of the PFAS Task Force and voted for the PFAS Action Act. I also saw PFAS issues firsthand in Suffolk County, New York. If confirmed, I will ensure that EPA is doing its part so that all communities have safe and clean drinking water.

53. Will you commit to prompt finalization of the draft human health criteria and the development, during your tenure, of Effluent Limitation Guidelines for priority industries discharging PFAS chemicals?

Response: It would be inappropriate for me to prejudge the outcome of either of these two potential agency actions, particularly without first having the opportunity to be briefed by EPA's career professionals on these topics.

54. As you have previously acknowledged, PFAS contamination in private wells is a concern for many Americans, and because they are unregulated, private wells have historically not benefited from public funding for testing and remediation support. In FY 2024, the Consolidated Appropriations Act updated eligible uses for emerging contaminant grants to include private drinking water wells for the first time.

a. Will you continue to advocate for funding for private well owners dealing with contamination issues?

Response: If confirmed, I will follow the law, including the Consolidated Appropriations Act, in working to protect public health and promote the general welfare of all Americans, including those with private wells. I will ensure that the Agency follows the law concerning expenditures of money appropriated by Congress.

b. Do you believe that continued support for private well owners is needed?

Response: If confirmed, I commit to discussing this issue with EPA's career staff and supporting clean water for all Americans.

55. In the 7th pillar of its America First Agenda, AFPI—where you serve as Chair of the Pathway to 2025 initiative and on the Board of its advocacy arm AFW—states that “Americans deserve access to affordable, reliable, and resilient energy that can handle the unexpected without dramatic disruptions or price increases.” Why, then, should we continue our dependence on oil, a global commodity the price of which is in large part determined by the actions of a global cartel and geopolitical events outside of our control?

Response: As I stated at the hearing, I believe in an all-of-the-above energy approach.

56. In 2019, you were one of 12 Republicans who voted with the majority of House Democrats in favor of a ban on drilling off the Atlantic and Pacific coastlines. Do you support President Trump's promise to overturn recent actions that ban drilling in the Atlantic?

Response: I cannot prejudge outcomes if this will be part of any process that will involve EPA jurisdiction at all.

57. During your 2022 campaign for governor of New York, you stated that, if the state “would reverse the Cuomo-Hochul ban on the safe extraction of resources under many parts of the state, jobs will be created, energy costs will go down, communities will be revitalized, and our state can prosper again.” The Department of Energy's recent study shows that exporting natural gas, like the gas that would be extracted from hydraulic fracturing, would increase the cost of natural gas for American consumers.

a. If overturning fracking bans leads to lower energy costs, shouldn't we avoid

exporting natural gas for the same reason?

Response: I have not seen the DOE study referenced in the question. As I traveled across the state, New Yorkers sitting on the Marcellus and Utica Shales watched their communities suffer as neighboring towns just across the border in Pennsylvania were thriving by utilizing the same shales. I advocated for New York to reverse its ban on the safe extraction of natural gas to allow these communities, mostly in the Southern Tier of the state, to thrive again and allow the state to become energy independent.

- b. How can you support overturning fracking bans in the interest of supposedly decreasing consumer costs but promote its export, which has the exact opposite effect?

Response: As I traveled across the state, New Yorkers sitting on the Marcellus and Utica Shales watched their communities suffer as neighboring towns just across the border in Pennsylvania were thriving by utilizing the same shales. I advocated for New York to reverse its ban on the safe extraction of natural gas to allow these communities, mostly in the Southern Tier of the state, to thrive again and allow the state to become energy independent.

58. Project 2025 proposes to eliminate many offices within DOE, such as the Office of Energy Efficiency and Renewable Energy (EERE), Office of Clean Energy Demonstrations (OCED), the Grid Deployment Office (GDO). The rationale is that “taxpayer dollars should not be used to subsidize preferred businesses and energy resources, thereby distorting the market and undermining energy reliability.”

- a. Regardless of whether you have read Project 2025, do you agree with its reasoning, namely that “taxpayer dollars should not be used to subsidize preferred businesses”?

Response: Taxpayer dollars should always and only be used to further the public interest.

- b. If you agree, do you also agree that all subsidies for fossil fuels should also be eliminated?

Response: I am not aware of the specific policies to which you refer.

59. In 2016, you said, “I have worked on securing funding as part of the ARPA-E program money for Brookfield National Lab and Stony Brook University. This type of funding allows us to be able to pursue alternative energy. Wind, solar farm—solar, water, there are so many different new and efficient ways to be able to not just cut down costs but also reduce our reliance on fossil fuels.” As EPA Administrator, would you commit to continuing to support funding to research and pursue ways we can reduce our fossil fuel dependence?

Response: As I stated in the hearing, I support an all-of-the-above energy approach.

60. Do you recognize that EPA’s Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles do not mandate any particular technology, and that vehicle manufacturers have multiple available methods to reduce

emissions? Do you agree that there is no federal “mandate” to purchase zero-emission vehicles?

Response: Maintaining consumer choice and affordability in the automobile market are important priorities for the Trump Administration. EPA’s Multi-Pollutant Emissions Standards appear to be designed to increase electric vehicle penetration beyond what consumer demand would otherwise provide, and therefore may adversely impact consumer choice. For example, EPA’s estimates are that the rule is anticipated to increase plug-in EV penetration to 68 percent by 2032.

61. These standards are estimated by EPA to save Americans \$62 billion in fuel and maintenance costs per year.⁸ Do you agree that EPA’s tailpipe emissions standards should strive to save consumers money?

Response: Consideration of the costs of regulations, including the costs to consumers, is an important aspect of the rulemaking process. If confirmed, I commit to ensuring that EPA fairly and accurately considers the costs of its regulations, including its vehicle emissions standards.

62. These standards are also estimated by EPA to result in \$13 billion in avoided healthcare costs per year by removing 8,700 tons of particulate matter, 36,000 tons of nitrogen oxides and 150,000 tons of volatile organic compounds from the air.⁹ Do you agree that EPA’s tailpipe emissions standards should strive to improve public health by reducing emissions?

Response: I agree that improving public health by regulating air quality and air emissions is the purpose of the Clean Air Act generally and the Section 202 “tailpipe” program in particular. I understand that Congress has enacted and the Courts have held that EPA’s role is to balance a range of considerations when making these standards, including health, cost, choice, safety, and energy security.

63. In 2022, you said that we “needed to ramp up domestic energy production,” citing high gasoline prices. In 2014, Saudi Arabia and other low-cost OPEC producers responded to the first U.S. shale oil boom by flooding the market and driving prices down to below where U.S. companies could profitably produce. A recent Forbes Magazine article¹⁰ suggested that the Saudis may soon run this play again in response to rising production in the U.S. and other countries: “Over the next two years, more than 200 U.S. shale producers were forced into bankruptcy, creating the worst depression in the domestic oil and gas industry since the mid-1980s.” The marginal cost of oil production in Saudi Arabia is approximately \$10 per barrel, while the marginal cost of oil production in the U.S. varies between \$50 and \$70 per barrel¹¹ depending on the production method and basin. Given the vast Saudi advantage, why do you believe that we can produce our way to lower energy costs when we are a high-cost producer and can always be undercut by the Saudis and other low-cost producers, who, once they have put our producers out of business, will reduce their own production and sit back and reap the profits from high oil prices?

Response: Ramping up domestic energy production will help decrease our reliance on oil from foreign nations. The marginal cost of production is not the only factor that determines the cost of energy to Americans. Foreign producers have greater freedom to set prices when America is dependent on their oil.

64. AFPI attacks renewable energy and claims that fossil fuels are necessary in order to avoid energy poverty. Specifically, its website states: “The current administration’s restrictive energy policies carry profound implications for millions of Americans and others throughout the developed world. They seek to deny the use of affordable and reliable energy, namely natural gas, and ignore the upward trend in global energy demand. For regions experiencing the realities of extreme energy poverty, the imposition of renewable-only energy systems cannot serve as the foundation of a dependable energy system or provide a reliable basis for economic growth. Any such policy is nothing short of climate colonialism.”

⁸ Biden-Harris Administration finalizes strongest-ever pollution standards for cars that position U.S. companies and workers to lead the clean vehicle future, protect public health, address the climate crisis, save drivers money, U.S. Environmental Protection Agency, Mar. 20, 2024, <https://www.epa.gov/newsreleases/biden-harris-administration-finalizes-strongest-ever-pollution-standards-cars>

⁹ *Id.* <https://www.epa.gov/newsreleases/biden-harris-administration-finalizes-strongest-ever-pollution-standards-cars>

¹⁰ Saudi Strategic Shift Raises Specter of Another Oil Bust, David Blackmon, Forbes, Oct. 1, 2024,

<https://www.forbes.com/sites/davidblackmon/2024/10/01/saudi-strategic-shift-raises-specter-of-another-oil-bust/>

¹¹ Permian producers face new headwinds, Argus Media, Oct. 14, 2024, <https://www.argusmedia.com/en/news-and-insights/latest-market-news/2617831-permian-producers-face-new-headwinds>; Saudi Arabia’s fiscal breakeven oil price is rising fast. What will the kingdom do about it?, Natasha Turak, CNBC, Sept. 5, 2024,

<https://www.cnbc.com/2024/09/05/saudi-arabias-fiscal-breakeven-oil-price-is-rising-fast.html>

a. Do you agree with the America First Policy Institute on this point?

Response: I agree that “the [Biden] administration’s restrictive energy policies carry profound implications for millions of Americans.” I support an all-of-the-above energy approach.

b. Are you aware that Norway, Luxembourg, New Zealand, Austria, Denmark, Switzerland, Canada, Sweden, Portugal, and Germany all produce well more than 50 percent of their electricity from renewables? Would you characterize those countries as rich countries or poor countries?

Response: I was not aware of that, and would defer to the research of economists to characterize the wealth of each nation.

c. Are you aware that, in 2022, renewables accounted for 83 percent of new generation capacity globally?

Response: Yes. It should be noted as well, however, that the same study also states that “both the volume and share of renewables need to grow substantially.” As I stated in my hearing, I support an all-of-the-above energy approach.

d. Does the cost of sunshine, wind, flowing water, or geothermal heat depend upon the production decisions of a cartel?

Response: Cartels should not dictate production decisions for energy in the United States. The cost and reliability of energy produced from any resource base is subjected to a complex interplay of market and policy factors.

e. Does the cost of sunshine, wind, flowing water, or geothermal heat depend upon

the whims of foreign dictators to invade their neighbors?

Response: The cost and reliability of energy produced from any resource base is subjected to a complex interplay of market and policy factors.

f. Is sunshine free as a fuel source?

Response: Sunshine is free; however, this does not account for the costs of solar panels and associated infrastructure. Furthermore, no form of energy is without environmental impacts.

g. Is wind free as a fuel source?

Response: Wind is free; however, this does not account for the costs to install wind facilities and associated infrastructure, or environmental impacts associated with their manufacturing, processing, use, and disposal. Likewise, I am aware that some have raised concerns about the impacts of windmills on wildlife such as birds and marine life. No form of energy is without environmental impacts.

h. Is flowing water free as a fuel source?

Response: Flowing water may be free; however, this does not account for the costs to install the technologies necessary to turn flowing water into electricity. Furthermore, no form of energy is without environmental impacts.

i. Is geothermal heat free as a fuel source?

Response: Geothermal heat is free; however, this does not account for the costs to install the technologies necessary to turn geothermal heat into electricity. Furthermore, no form of energy is without environmental impacts.

j. What is the cost of a barrel of oil?

Response: One barrel of Brent crude oil costs around \$80.

k. What is the cost of 1,000 cubic feet of natural gas?

Response: 1,000 cubic feet could cost as much as \$15.

l. What is the cost of a ton of coal?

Response: One ton of coal costs roughly \$120.

m. Does the cost of a barrel of oil depend in part upon the production decisions of a cartel?

Response: The cost and reliability of energy produced from any resource base is subjected to a complex interplay of market and policy factors. Energy independence will reduce the pricing power of foreign producers.

n. Does the cost of a barrel of oil depend in part upon the whims of foreign dictators

to invade their neighbors?

Response: The cost and reliability of energy produced from any resource base is subjected to a complex interplay of market and policy factors. Energy independence will reduce the pricing power of foreign producers.

o. Does the domestic cost of natural gas depend in part upon foreign production and consumption patterns and the amount of LNG this country exports?

Response: The cost and reliability of energy produced from any resource base is subjected to a complex interplay of market and policy factors. Energy independence will reduce the pricing power of foreign producers.

p. Does the cost of coal depend in part upon foreign production and consumption patterns and the amount domestic producers export?

Response: The cost and reliability of energy produced from any resource base is subjected to a complex interplay of market and policy factors.

65. While a House Member in 2019 you voted to kill an amendment to HR 3055 that would have prohibited funds from being used to implement or enforce the EPA's finding that greenhouse gasses endanger public health and welfare. You were, in fact, one of only a handful of Republicans to do so. Would you still agree that emissions of greenhouse gases pose a threat? If confirmed as EPA Administrator, will you continue to implement and enforce this endangerment finding?

Response: If confirmed, I will learn from EPA career staff about the current state of the science on greenhouse gas emissions and follow all legal requirements.

66. While a House Member in 2017 and 2019, you voted to support the military's efforts to study the risks posed to national security and military operations by climate change. Would you still agree that climate change has consequential national security implications?

Response: I have nothing new to add beyond my prior statements.

67. In your testimony at the hearing, you agreed that under the Supreme Court's rulings – in *Massachusetts v. EPA* and in three subsequent cases including *West Virginia v. EPA* – greenhouse gases such as carbon dioxide and methane emitted from vehicles, power plants, and other industrial sources are “air pollutants” under the Clean Air Act.

Response: In *Massachusetts v. EPA*, the Supreme Court held that the general definition of “air pollutant” in the Clean Air Act is broad enough to include greenhouse gases. More recent cases like *West Virginia v. EPA* have addressed EPA's authority to regulate greenhouse gases from power plants, but none of these cases have required EPA to issue any particular type of regulation as to greenhouse gases. I respect the Supreme Court's rulings. It is important to note, as I stated at the hearing, that greenhouse gases have never been recognized as a “criteria” pollutant, the focus of the NAAQS program that is the core of EPA's authority under Title I of the Clean Air Act.

68. You later stated that *Massachusetts* by itself “authorizes” but does not “obligate” EPA to regulate those pollutants. You appear to have recognized, however, that EPA becomes legally obligated to regulate GHG emissions when EPA makes an endangerment determination — a finding that their emissions contribute to air pollution that “may reasonably be anticipated to endanger public health or welfare.” Do you agree?

Response: If confirmed, I commit to following the law in every respect, including the Clean Air Act and Supreme Court precedent. The Supreme Court in the *Massachusetts* case stated that it was not deciding whether EPA must make an endangerment finding, or whether policy concerns can inform EPA’s actions in the event that it makes such a finding.

69. You also acknowledged that EPA “treats” them as pollutants which must be regulated. That, I am sure you are aware, is because in 2009 EPA made the endangerment finding.

a. Do you acknowledge that the 2009 endangerment determination was well supported, based on a wide body of national and international scientific assessments, and adopted after extensive public comment?

Response: I acknowledge that there are many who endorse the endangerment finding and others who have concerns about it.

b. Do you acknowledge that it was upheld by the D.C. Circuit and that the Supreme Court has rejected petitions for review of that finding?

Response: To my understanding, this is an accurate statement of the litigation that followed the endangerment finding.

70. Are you aware that EPA has reiterated the endangerment finding for multiple greenhouse gases multiple times since 2009, each time finding that the scientific evidence for endangerment had strengthened?

Response: To my understanding, this is what the Agency has previously done and said.

71. Will you commit to this Committee that this issue is settled, and that EPA will not reopen or consider reversing the endangerment determination?

Response: I am aware that EPA from time to time receives requests and petitions to revisit its prior decisions, including with regard to the endangerment finding. I am also aware that EPA during the Trump Administration’s first term and the Biden administration denied certain petitions related to the endangerment finding. I cannot prejudge the outcome of any agency proceeding or decision on a pending petition before the Agency, as I stated during my hearing. I can commit, however, to always following the law and ensuring a transparent process for any actions taken by the Agency, if I am confirmed.

72. Separately, are you aware that some opponents of climate action are renewing a proposal – rejected in the first Trump administration -- to convene a “red team/blue team debate” over climate science and the endangerment finding? This would be utterly out of keeping with the scientific method and peer-review procedures. It would also be deeply disrespectful of the scientists at EPA and other federal science agencies for whom you expressed respect and admiration at the hearing. Will you commit to oppose any such red

team/blue team undertaking?

Response: I am not aware of the specifics of any such proposal.

73. Communities across the country are grappling with PFAS contamination in their air, water, soil, and other forms of environmental media. Designating PFOA/PFOS as hazardous substances under the Superfund law was a huge win for communities, as polluters will now be held responsible for cleaning up some of the most contaminated sites in the country.

a. Will you commit to defending the PFOA and PFOS hazardous substance designations?

Response: I understand that EPA's hazardous substance listing for PFOA and PFOS is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it. Thus, it would be inappropriate for me to prejudge the outcome of any proceeding on this subject. However, I can commit to following all legal requirements and administering the Superfund program in a manner consistent with the law.

b. How will EPA build upon these safeguards under the Superfund law with regard to other harmful PFAS chemicals?

Response: It would be inappropriate for me to prejudge the outcome of any proceeding on this subject. However, I can commit to following all legal requirements and implementing the Superfund program in a manner consistent with the law.

c. Will EPA evaluate the risks posed by PFOA and PFOS during EPA's mandatory five-year review of Superfund site remedies?

Response: I can commit to following all legal requirements and implementing the Superfund program in a manner consistent with the law.

d. EPA has a long history of reliable and equitable enforcement discretion. Will you commit to holding polluters accountable under this rule as outlined in EPA's policy enforcement memo?

Response: I can commit to following all legal requirements and implementing the Superfund program in a manner consistent with the law.

74. Over 200 million Americans have PFAS in their water supplies. Even at low levels, PFAS are highly toxic, and take years to break down in our bodies. EPA's recent drinking water standards seek to reduce exposure to PFAS, which is linked to an array of illnesses such as testicular cancer, kidney cancer, immune suppression, impaired fetal development, and other adverse health effects.

a. Will you commit to maintaining the drinking water protections under the Safe Drinking Water Act that were recently adopted?

Response: I understand that EPA's national primary drinking water standards for certain PFAS chemicals are currently the subject of litigation, and EPA may have received requests from stakeholders

to revisit them. Thus, it would be inappropriate for me to prejudge the outcome of any proceeding on this subject. However, I can commit to following all legal requirements and implementing the Safe Drinking Water Act in a manner consistent with the law.

b. Will you commit to defending these drinking water protections in court?

Response: I understand that EPA's national primary drinking water standards for certain PFAS chemicals are currently the subject of litigation, and thus it would be inappropriate for me to speculate about this litigation.

c. What, specifically, will you do to build upon the drinking water standards under the Safe Drinking Water Act, to prevent further PFAS contamination in our nation's drinking water?

Response: I can commit to following all legal requirements and implementing the Safe Drinking Water Act in a manner consistent with the law.

75. There are currently no federal requirements governing the disposal of PFAS-containing waste, even though landfills and incinerators are known sources of PFAS releases. Will you commit to designating PFOA, PFOS, and other PFAS as hazardous waste under the Resource Conservation and Recovery Act?

Response: I am aware that EPA in 2024 proposed to designate a number of PFAS chemicals as hazardous constituents under the Resource Conservation and Recovery Act. I cannot prejudge the outcome of this or any other future regulatory proceeding.

76. Industrial wastewater is a huge source of PFAS discharges into lakes, rivers, and drinking water sources throughout the country. Currently, agencies are not effectively using Clean Water Act discharge permits to limit and control industrial sources of PFAS, putting communities at risk.

a. What steps will you direct EPA to take to ensure that states and regional EPA offices adequately address PFAS discharges using the Clean Water Act discharge permitting program?

Response: While I cannot prejudge the outcome of any particular permitting decision, I agree that it is important for EPA to provide guidance and technical support to its State and Tribal partners who administer the Clean Water Act NPDES permitting program in the vast majority of the country.

b. What specific actions will you take to finalize and implement effluent limitation guidelines for PFAS under the Clean Water Act in order to reduce community exposure?

Response: It would be inappropriate for me to prejudge the outcome of any proceeding on this subject. However, I can commit to following all legal requirements and implementing the Clean Water Act's ELG program in a manner consistent with the law.

77. While POTWs are not responsible for manufacturing PFAS, they play an important role in minimizing the spread of PFAS pollution because they receive PFAS pollution from

industries. The Clean Water Act gives POTWs the tools to require their industrial customers to pretreat for PFAS before the chemicals ever reach POTWs. What is EPA going to do to further encourage POTWs to use these tools to control industrial PFAS pollution and protect communities from exposure?

Response: I agree that POTWs play an important role in ensuring drinking water complies with applicable standards. If confirmed, I look forward to being briefed on tools available to POTWs under the Clean Water Act by EPA's career professionals.

78. Last April EPA adopted drinking water health standards for 6 toxic "forever chemicals," or PFAS, that the agency said would help protect up to 105 million Americans from dangerous levels of these highly hazardous contaminants. EPA concluded that adverse health effects associated with PFAS exposure include damage to the liver, kidneys, reproductive, nervous, and immune systems, problems with growth and development, interference with hormones, and increased risk of certain types of cancer. EPA also found that the rules will prevent about 30,000 illnesses and nearly 10,000 deaths. As a member of the House of Representatives, you voted twice for the "PFAS Action Act" that would have required EPA to issue drinking water standards for PFAS. Will you commit to maintain, defend, and implement EPA's PFAS drinking water health standards that would save tens of thousands of Americans from becoming ill and nearly 10,000 people from dying due to PFAS exposure from their drinking water?

Response: As I mentioned during my confirmation hearing, when I represented New York's First District in Congress, I was a member of the PFAS Task Force and, as you note, I voted for the PFAS Action Act. I also saw PFAS issues firsthand in Suffolk County, New York. I understand that EPA's national primary drinking water standards for certain PFAS chemicals are currently the subject of litigation, and EPA may have received requests from stakeholders to revisit them. Thus it would be inappropriate for me to prejudge the outcome of any proceeding on this subject. However, I can commit to following all legal requirements and implementing the Safe Drinking Water Act in a manner consistent with the law.

79. PFAS and microplastics have increasingly been identified as a major environmental and health concern. Can you outline your approach to these pollutants and if this will be a priority research area for the Agency moving forward? Considering that PFAS and microplastics can be found in air, food systems, drinking water, and of course our oceans, if confirmed, how do you plan to coordinate EPA's efforts with other agencies or international bodies to address the widespread contamination of these substances?

Response: I agree that it is important for EPA to investigate emerging contaminants in a manner consistent with its authority under the law and the funding provided by Congress. I also agree EPA must coordinate across the federal government on cross-cutting environmental issues such as these.

80. The Supreme Court's 2023 decision in *Sackett v. EPA* sharply curtailed the federal government's ability to protect wetlands and other waters from pollution and destruction. What specific steps do you intend for EPA to take to advance the Clean Water Act's goal of restoring and maintaining the integrity of the nation's waters, particularly vulnerable wetlands and streams?

Response: If confirmed, I will work with all stakeholders to promote the wellbeing of the nation's waters and protect them in accordance with applicable laws and regulations.

81. Administrations typically claim credit for pollution reductions that occur during their tenure as a result of standards issued by their predecessors. There's often a delay in the results because EPA standards generally allow substantial lead time for compliance. Putting aside improvements that are due to past administrations' actions and focusing on what you will do in your tenure to achieve further pollution reductions, what are the top 3 actions you intend to take as EPA Administrator that will reduce freshwater pollution?

Response: It would be inappropriate for me to identify priority actions without first being briefed by EPA's career professionals on these important questions. However, I can commit to emphasizing the importance of working cooperatively with States, Tribes, and local governments to make meaningful improvements in surface water and drinking water quality and to enhance compliance with Clean Water Act and Safe Drinking Water Act compliance.

82. In a 2017 report to Congress¹², EPA found that 55 percent of the rivers and streams assessed by states did not meet state water quality standards. How do you intend to reduce sources of freshwater pollution during your tenure as EPA Administrator?

Response: Surface water quality is an important issue, and I commit to following the law when implementing EPA's water quality standards program under the Clean Water Act in conjunction with EPA's State and Tribal partners.

83. Last year, the U.S. Fish & Wildlife Service found that wetlands loss in the continental US accelerated between 2009 and 2019, and that the nation lost approximately 670,000 acres of vegetated wetlands during that time. How do you intend to reduce wetland loss during your tenure?

Response: I am aware that EPA has a number of authorities, both regulatory and voluntary, to protect and conserve wetlands, and I will implement those authorities in a manner consistent with the law. It is also important to work cooperatively with other federal agencies, including the United States Army Corps of Engineers, as well as EPA's State and Tribal partners, on this issue.

84. Water quality projects needed to meet goals of the Clean Water Act will cost an estimated \$630.1 billion nationwide over the next 20 years, according to the most recent Clean Watersheds Needs Survey. What can EPA do to close this gap?

Response: While funding decisions are the responsibility of Congress, if confirmed, I commit to carrying out EPA's water quality programs as authorized by Congress in a manner consistent with the law and in conjunction with EPA's State, Tribal, and local government partners.

85. Over 50% of our nation's surveyed surface waters are impaired for one contaminant or another. Can you outline some priority steps you intend to take to reduce that number, and get us back on track towards clean water for all?

Response: Surface water quality is an important issue, and I commit to following the law when implementing EPA's water quality standards program under the Clean Water Act in conjunction with EPA's State and Tribal partners.

86. A recent EPA analysis estimated that between 12 and 19 million households in the U.S. lack affordable access to water and sewer services, due in part to the rising costs of building, replacing, and maintaining our nation's aging infrastructure. If confirmed, what actions will you take to ensure that all people in America have affordable water and sewer bills?

Response: Too many American families are facing numerous economic hardships. If confirmed as Administrator, I will address the issue of water and sewer affordability using the authorities provided to the Agency by Congress, in partnership with States, Tribes, and local governments.

87. Hurricanes Helene and Milton caused severe impacts to communities' water and sewer systems throughout the Southeast, including flooded treatment plants, damaged pipes, sewage spills, and extended water outages.
- a. If confirmed, what will you do to reduce the vulnerability of the nation's water infrastructure to natural disasters?

Response: I agree with the importance of ensuring that America's water infrastructure is resilient during natural disasters, and I commit to using the authority Congress has provided to EPA to support this effort in partnership with our State and Tribal partners.

- b. Do you acknowledge that rising seas and increasingly extreme precipitation events are putting more water systems at risk?

Response: Water systems may be at increased risk if exposed to precipitation levels or flood waters beyond their design capacity.

¹² National Water Quality Inventory: Report to Congress, U.S. Environmental Protection Agency, EPA 841-R-16-011, Aug. 2017, https://www.epa.gov/sites/default/files/2017-12/documents/305brtc_finalowow_08302017.pdf

88. In 2024, GAO reported that EPA needed to take specific actions to help make water and wastewater utilities more secure against cyber-attacks. This is an urgent matter, as attacks continue. Most recently, in late 2024, an Iranian-backed terrorist organization called Cyber Avengers targeted Israeli-made equipment used by utilities, such as one small Pennsylvania water utility that had to temporarily halt pumping water. If confirmed, what actions will you take to address the protection of critical water infrastructure against cyber-attacks?

Response: I am aware that EPA has stated that cyber attacks against public water systems are increasing. If confirmed, I commit to carrying out the authorities that Congress has granted to EPA on this issue in a manner consistent with law.

89. The IIJA provided over \$50 billion over 5 years for various water infrastructure programs.
- a. Will EPA continue to work with States to expeditiously spend this funding?

Response: If confirmed, I will ensure that the Agency follows the law concerning expenditures of money appropriated by Congress.

b. What priorities will you have in implementing these programs?

Response: If confirmed, I look forward to being briefed on these programs and making an appropriate prioritization.

c. Will you assist States and localities in using available funding to treat emerging contaminants, such as PFAS in water?

Response: If confirmed, I will work with State, Tribal, and local government partners to ensure they are aware of funding opportunities for water treatment.

90. Administrations typically claim credit for pollution reductions that occur during their tenure as a result of standards issued by their predecessors. There's often a delay in the results because EPA standards generally allow substantial lead time for compliance. Putting aside improvements that are due to past administrations' actions and focusing on what you will do in your tenure to achieve further pollution reductions, what are the top 3 actions you intend to take as EPA Administrator that will reduce drinking water contamination?

Response: It would be inappropriate for me to identify priority actions without first being briefed by EPA's career professionals on these important questions. However, I can commit to emphasizing the importance of working cooperatively with States, Tribes, and local governments to make meaningful improvements in drinking water quality and to enhance Safe Drinking Water Act compliance.

91. Congress adopted the Clean Air Act, the Clean Water Act, and the other core environmental laws because the American people were fed up with dangerous pollution in their air and water, carcinogens and neurotoxins in their drinking water, hazardous wastes in their neighborhoods, and so forth. Back then, industry complained that EPA wasn't paying attention to the cost of curbing these pollutants. So EPA and other institutions developed methods to assess costs and benefits – methods that have been peer-reviewed, subjected to rounds of public comment, and tested in the courts. These studies have consistently found that EPA standards have saved the American people from millions of deaths and illnesses and cut economic losses, such as lost work and school days, by tens of billions of dollars. The studies show that the benefits of EPA's standards have dramatically exceeded the costs. Do you agree that the health costs of lead in drinking water outweigh the cost of the recent drinking water standards?

Response: I am aware that EPA first issued national primary drinking water standards for lead in 1991, and EPA during the Trump Administration's first term updated that rule for the first time in three decades. I am also aware that EPA has concluded that there is no level of exposure to lead that is without some risk. Likewise, I understand that under the Safe Drinking Water Act, EPA sets standards based on a broad consideration of statutory and regulatory factors that include cost-effectiveness and technical feasibility.

92. Toxic lead contamination in drinking water has plagued many communities around the country, including in states like Rhode Island, Massachusetts, New York, West Virginia, (and many others)¹³. As you know, lead causes a host of health problems for children as well as adults – including decreased IQ, brain and nerve damage, kidney damage, and cardiovascular disease. After years of effort and after receiving hundreds of thousands of public comments, EPA recently adopted a rule under the Safe Drinking Water Act to

¹³ Finding Lead Water Pipes: New NRDC Map Shows the Hot Spots in Every State, Natural Resources Defense Council, Sept. 15, 2024, <https://www.nrdc.org/resources/lead-pipes-are-widespread-and-used-every-state>

largely rid the nation of lead service lines within the next ten years. Getting lead pipes out will not only address this public health problem but will create tens of thousands of local jobs in the many communities that still have these pipes (an estimated 9 million across the nation). Studies show that the health and economic benefits of removing lead pipes exceed the costs by 14-fold or more.¹⁴ Indeed, EPA said the new rule will prevent up to 1,500 premature deaths from heart disease and avoid up to 200,000 IQ points from being lost by children.¹⁵

a. Do you agree that lead in drinking water is a major public health problem?

Response: Lead exceedances in drinking water have declined over time; however, challenges remain. If confirmed, I commit to working with our State, Tribal, and local government partners to address this issue.

b. Do you agree that to address lead in drinking water, removing lead service lines on the expedited 10-year timeline will help dramatically reduce lead poisoning and help to avoid harming yet another generation of young children?

Response: I understand that lead service line removal is one approach to reduce childhood lead exposure from drinking water.

c. Will you commit to maintain, defend and implement the Lead and Copper Rule Improvements that will avoid hundreds of thousands of childhood IQ point losses and 1,500 premature deaths from heart disease?

Response: I am aware that EPA first issued a national primary drinking water standards for lead in 1991, and EPA during the Trump Administration's First Term updated that rule for the first time in three decades. I am also aware that EPA issued further revisions to this rule in 2021 and again in 2024. I understand that this rule is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it, as it does from time to time. Thus, it would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

93. EPA has acknowledged that the Trump administration's lead and copper rule slowed down the rate of replacement of lead service lines across the country. The more recent Lead and Copper Rule Improvements would expedite lead service line removal across the country. Can you commit to ensuring your EPA wouldn't slow down lead line replacement, prolonging exposure to lead in drinking water across the country?

Response: I am aware that EPA first issued national primary drinking water standards for lead in 1991, and EPA during the Trump Administration's first term updated that rule for the first time in three decades. I am also aware that EPA issued further revisions to this rule in 2021 and again in 2024. I

understand that this rule is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it, as it does from time to time. Thus, it would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

94. EPA finalized an updated Mercury and Air Toxics Standards (MATS) rule in May 2024, which limits emissions of toxic air pollution from power plants, including mercury that builds up in fish and puts people who eat contaminated fish at risk—especially pregnant women, babies and young children. The MATS standard has broad support from public health advocates including the American Lung Association, American Academy of Pediatrics, and American Public Health Association. If you are confirmed as Administrator, will you continue to defend these standards against attempts to roll them back?

Response: I understand that this rule is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it, as it does from time to time. Thus, it would be inappropriate for me to prejudge the outcome of any regulatory proceeding. However, if I am confirmed, I commit to defending policies that follow the law, accord with common sense, and are supported by the evidence.

95. GAO has recommended that EPA, in consultation with state, local and federal agencies, develop and make public an air quality monitoring modernization plan to better meet the additional information needs of air quality managers, researchers, and the public. One action that EPA has taken is to use funding from the American Rescue Plan Act of 2021 and Inflation Reduction Act of 2022 to make investments in air quality monitoring to help address the information needs identified in GAO's report. Will you continue this

-14 Issue Brief: Getting the Lead Out, Natural Resources Defense Council, IB: 23-08-A, Oct. 2023, <https://www.nrdc.org/sites/default/files/2023-10/getting-lead-out-health-benefits-ib.pdf>¹⁴ Biden-Harris Administration Issues Final Rule Requiring Replacement of Lead Pipes Within 10 Years, Announces Funding to Provide Clean Water to Schools and Homes, U.S. Environmental Protection Agency, Oct. 8, 2024, <https://www.epa.gov/newsreleases/biden-harris-administration-issues-final-rule-requiring-replacement-lead-pipes-within>

work and what are your plans to address monitoring needs and to protect the public health?

Response: If confirmed, I commit to following the laws enacted by Congress.

96. Administrations typically claim credit for pollution reductions that occur during their tenure as a result of standards issued by their predecessors. There's often a delay in the results because EPA standards generally allow substantial lead time for compliance. Putting aside improvements that are due to past administrations' actions and focusing on what you will do in your tenure to achieve further pollution reductions, what are the top 3 actions you intend to take as EPA Administrator that will reduce air pollution?

Response: It would be inappropriate for me to identify priority actions without first being briefed by EPA's career professionals on these important questions. However, I can commit to working with other federal agencies as well as State, Tribal, and local governments to improve forest management and the use of prescribed fires to address wildfire risk. I also commit to working with the regulated community to improve compliance with Clean Air Act requirements.

97. Congress adopted the Clean Air Act, the Clean Water Act, and the other core environmental laws because the American people were fed up with dangerous pollution in their air and water, carcinogens and neurotoxins in their drinking water, hazardous wastes in their neighborhoods, and so forth. Back then, industry complained that EPA wasn't paying attention to the cost of curbing these pollutants. So EPA and other institutions developed methods to assess costs and benefits – methods that have been peer-reviewed, subjected to rounds of public comment, and tested in the courts. These studies have consistently found that EPA standards have saved the American people from millions of deaths and illnesses and cut economic losses, such as lost work and school days, by tens of billions of dollars. The studies show that the benefits of EPA's standards have (or are projected to) dramatically exceed the costs.¹⁶ Do you agree that the health costs of soot and smog pollution exceed the costs of clean up?

Response: If confirmed, I look forward to conferring with economists and other talented technical experts on these important issues.

98. You said when nominated that you will “protect access to clean air” for Americans. According to the most recent air pollution monitoring information in the U.S., more than 131 million Americans live with unsafe levels of smog or soot air pollution, or both.¹⁷

a. What are your top three measures that have not been taken already that will help deliver safe, clean air to all Americans?

Response: It would be inappropriate for me to rank actions like this without first being briefed by EPA's career professionals on these important questions. However, I can commit to working with other federal agencies as well as State, Tribal, and local governments to improve forest management and the use of prescribed fires to address wildfire risk. I also commit to working with the regulated community to improve compliance with Clean Air Act requirements.

b. Do you commit to reducing the number of Americans that live with unsafe air?

Response: I commit to administering EPA's authorities from Congress in a manner consistent with the law with the goal of improving air quality for Americans. I also commit to working with States, Tribes, local governments, and the regulated community to achieve positive air quality outcomes.

c. Will you commit to take no step that increases air pollution or worsens air quality?

Response: If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

d. Will you commit to take no action that increases ozone/smog pollution?

Response: If confirmed as Administrator, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

e. Will you commit to take no action that increases deadly soot pollution?

Response: If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

¹⁶ The Benefits and Costs of U.S. Air Pollution Regulations, Industrial Economics Incorporated, May 2020, <https://www.nrdc.org/sites/default/files/iec-benefits-costs-us-air-pollution-regulations-report.pdf>; Regulatory Impact Analysis for EPA Power Plant Rule and ACE Rule Repeal, EPA-HQ-OAR-2023-0072-8913, May 9, 2024, <https://www.regulations.gov/document/EPA-HQ-OAR-2023-0072-8913>
¹⁷ State of the Air 2024 Report, American Lung Association, <https://www.lung.org/getmedia/dabac59e-963b-4e9b-bf0f-73615b07bfd8/State-of-the-Air-2024.pdf> (“despite decades of progress cleaning up air pollution, 39% of people living in America—131.2 million people—still live in places with failing grades for unhealthy levels of ozone or particle pollution”).

f. Will you commit to take no action that increases hazardous air pollution like lead, mercury, and arsenic?

Response: If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

99. The Clean Air Act’s interstate pollution program protects Americans in downwind states – including your home state of New York – from harmful air pollution coming from power plants and industries in upwind states. A 2023 EPA “Good Neighbor” rule requires 23 states to reduce 70,000 tons of smog pollution and save thousands of lives and help millions of Americans in downwind states.¹⁸

a. Do you agree EPA should carry out the Clean Air Act to protect Americans in downwind states (like NY and RI) from harmful air pollution?

Response: If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

b. You may be aware that the Supreme Court paused that program until EPA answered one question whether the stringency of requirements would remain the same if a smaller or larger number of upwind states were included. Are you aware that the agency has since formally determined that the stringency of emission limits would not be affected by the number of states included? Will you commit to defend that finding and implement the interstate pollution rule?

Response: My understanding is that, following the Supreme Court stay of the Good Neighbor Rule, the Agency has issued subsequent analysis. This matter is currently before the courts and I cannot prejudge its outcome. If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

c. Project 2025 has called for rolling back interstate pollution limits. Will you commit to not rolling back clean air safeguards like these?

Response: If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

100. In 2021, EPA’s clean air science advisors agreed unanimously that the health standard for fine particle (soot) air pollution, PM_{2.5}, did not protect Americans’ health and should be lowered from 12 micrograms per cubic meter. A majority of advisors

recommended strengthening the standard to between 8 and 10 micrograms, after finding links between soot and premature death at or below 10.¹⁹ Do you have any reason to believe EPA's official scientific advisors are wrong?

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

101. The Clean Air Act requires EPA to set health standards for the most common air pollutants that are required to protect public health with an adequate margin of safety for vulnerable groups.

a. Do you agree that at-risk groups such as asthmatics experience larger and more serious health effects, or effects at lower levels, due to ozone pollution than

¹⁸ EPA's "Good Neighbor" Plan Cuts Ozone Pollution – Overview Fact Sheet, U.S. Environmental Protection Agency, n.d., https://www.epa.gov/system/files/documents/2023-03/Final%20Good%20Neighbor%20Rule%20Fact%20Sheet_0.pdf, at 4; see also *id.* ("In the year 2026, the final Good Neighbor Plan will prevent up to 1,300 premature deaths, reduce hospital and emergency room visits for thousands of people with asthma and other respiratory problems, help keep hundreds of thousands of children and adults from missing school and work due to respiratory illness, and decrease asthma symptoms for millions of Americans. For each year from 2027 through 2042, EPA estimates the benefits will be approximately as large as in 2026, although the annual benefits decline slightly over time based on EPA's projection that the health status of the population will improve over this period.")

¹⁹ CASAC Review of the EPA's Policy Assessment for the Reconsideration of the National Ambient Air Quality Standards for Particulate Matter (External Review Draft – October 2021), Clean Air Science Advisory Council, Mar. 18, 2022, https://casac.epa.gov/ords/sab/r/sab_apex/casac/0?report_id=1094&request=APPLICATION_PROCESS%3DREPOR T_DOC&session=185136633798

healthy people? If you disagree, please identify the basis for your view in any peer-reviewed medical or scientific studies.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

b. Do you agree that infants and children are at-risk groups likely to experience larger and more serious health effects than healthy adults? How about the elderly? If you disagree, please identify the basis for your view in any peer-reviewed medical or scientific studies.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

102. Do you accept the Supreme Court's unanimous decision in *Whitman v. American Trucking Associations*, 531 U.S. 457 (2001) that EPA may not consider claims about potential economic harm when reviewing or revising the level of primary and secondary national ambient air quality standards under the Clean Air Act?

Response: The Supreme Court is the highest judicial authority in our nation, and I respect its binding opinions.

103. The Clean Air Act requires EPA to regulate 189 hazardous air pollutants from industrial

polluters that are the most dangerous and harmful air pollutants known. These pollutants can be toxic in grams or micrograms or less and can cause cancer and kill. Do you support EPA using its full legal authority to protect Americans from these highly toxic air pollutants?

Response: If confirmed, I commit to protecting air quality consistent with the lawful authorities delegated to EPA by Congress and the evidence in the record.

104. EPA's Clean Air Scientific Advisory Committee (CASAC) supports the scientific determination of a causal association between short-term and long-term PM2.5 air pollution exposure and total mortality. Do you agree? If you disagree, explain why and the basis for your disagreement.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

105. The CASAC also supports the scientific determination of a causal association between short-term and long-term PM2.5 exposure and cardiovascular effects, including cardiovascular mortality. Do you agree? If you disagree, explain why and the basis for your disagreement.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

106. EPA has repeatedly concluded that PM2.5-related adverse health effects include premature mortality, increased hospital admissions and emergency department visits, and development of chronic respiratory disease. Do you agree? If you disagree, explain why and the basis for your disagreement.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

107. The Health Effects Institute also has found an association between PM2.5 and mortality. Do you agree? If you disagree, explain why and the basis for your disagreement.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

108. The World Health Organization estimates ambient (outdoor) air pollution caused 4.2 million premature deaths worldwide in 2019. Do you doubt or dispute that finding? If so, explain why and the basis for your disagreement.

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

109. President-elect Trump has stated that he wants to support the US automaker industry and build more automaker jobs domestically. Automakers are transitioning towards cleaner, low- and zero-emission vehicles across the globe. Automakers and suppliers announced almost 241,000 new jobs²⁰ related to electric vehicles and their components. Automakers in the United States have already invested \$312 billion towards clean and

²⁰ EV Jobs Hub, BlueGreen Alliance, <https://evjobs.bgafoundation.org/>

zero-emission vehicles to keep pace with other countries. The automakers have expressed support for EPA's most recent light-duty vehicle standards, for model years 2027 and beyond. For example, the president of the Alliance for Automotive Innovation said when these standards were announced that "the rules are mindful of the importance of choice to drivers and preserves their ability to choose the vehicle that's right for them."

- a. Do you acknowledge that automakers have multiple technological options to meet EPA's light-duty vehicle standards for 2027 and later years? That there is no "mandate" for automakers to produce or consumers to purchase electric vehicles (EVs)?

Response: Maintaining consumer choice and affordability in the automobile market are important priorities for the Trump Administration. EPA's Multi-Pollutant Emissions Standards appear to be designed to increase electric vehicle penetration beyond what consumer demand would otherwise provide, and therefore may adversely impact consumer choice. For example, EPA's estimates are that the rule is anticipated to increase plug-in EV penetration to 68 percent by 2032.

- b. Are you aware that EPA and many independent experts have found that these federal clean car rules will save car owners thousands of dollars?

Response: I am generally aware that some experts and stakeholders support these rules, just as others have serious concerns with them. If confirmed, I look forward to conferring with EPA's talented economic and technical experts on these and other important issues.

- c. EPA calculates that car owners will save \$6,000 over the lifetime of new vehicles made in 2032, because of lower fuel and maintenance costs. Do you support rules that save consumers on fuel and maintenance costs?

Response: As a general matter, we all appreciate going further on a dollar and lowering our maintenance costs. We also all appreciate environmental protection, consumer choice, cheaper vehicles, safer vehicles, and more reliable vehicles. EPA's role is to balance all these considerations in crafting its regulations.

- d. Do you acknowledge that money drivers spend on gasoline is a direct monetary transfer from consumers to the oil industry?

Response: The fuel supply chain includes multiple participants including independent retailers.

- e. Are you aware that the automakers and suppliers have announced tens of billions of dollars of new investments in U.S. factories in recent years, based on these standards and the incentives in the Inflation Reduction Act – many facilities located in places represented by members of your party?

Response: I am aware that the auto industry is one of the central pillars of the American economy.

- f. Are you aware that more than 50 years ago Congress authorized California to set

vehicle emission standards stronger than federal ones? And that more than 40 years ago Congress authorized other states to choose between federal and California standards? This “two car” regime provides a stable arrangement for the car makers and is a model of shared federal and state authority. Do you pledge to respect the Clean Air Act and its provisions allowing California to set stronger emissions standards?

Response: If confirmed, I pledge to respect all of Congress’s duly enacted statutes delegating authority to the Agency.

g. Do you believe EPA has the legal authority to deny California waivers of preemption for standards it says it needs to meet national ambient air quality standards for dangerous smog and soot?

Response: My understanding is that the Clean Air Act provides the legal standards under which EPA is authorized or required to grant or deny California’s waiver applications.

h. Do you believe that the Clean Air Act provides for the revocation of a waiver previously granted to California?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I pledge to respect all of Congress’s duly enacted statutes delegating authority to the Agency.

110. Mr. Zeldin, Congress adopted the Clean Air Act, the Clean Water Act, and the other core environmental laws because the American people were fed up with dangerous pollution in their air and water, carcinogens and neurotoxins in their drinking water, hazardous wastes in their neighborhoods, and so forth. Back then, industry complained that EPA wasn’t paying attention to the cost of curbing these pollutants. So EPA and other institutions developed methods to assess costs and benefits – methods that have been peer-reviewed, subjected to rounds of public comment, and tested in the courts. These studies have consistently found that EPA standards have saved the American people from millions of deaths and illnesses and cut economic losses, such as lost work and school days, by tens of billions of dollars. The studies show that the benefits of EPA’s standards have dramatically exceeded the costs. Do you agree that consumers’ energy savings from more efficient, less polluting vehicles, appliances, and other products outweigh the cost?

Response: As a general matter, we all appreciate going further on a dollar and lowering our maintenance costs. We also all appreciate environmental protection, consumer choice, cheaper vehicles, safer vehicles, and more reliable vehicles. EPA’s role is to balance all these considerations in crafting its regulations.

111. The nation’s coal- and gas-fired power plants account for 25 percent of total US greenhouse gas emissions. They are the largest industrial source of climate-disrupting pollution, second only to the transportation sector. EPA issued standards to reduce those emissions last April. The Supreme Court rejected requests to stay those standards pending lower court review, which is underway. EPA issued these standards in conformity with the Supreme Court’s 2022 ruling in *West Virginia v. EPA*. There the Court told EPA what it can do, as well as what it cannot do. The Court confirmed once again that EPA has the authority and obligation to set emission standards under Clean

Air Act Section 111 for power plant carbon pollution. The Court ruled that EPA did not have authority to deliberately shift the generation shares of coal, gas, and other power plants, as it had done in the 2016 Clean Power Plan. But the Court confirmed EPA's authority to set technology-based standards that "caus[e] plants to operate more cleanly" and "ensur[e] the efficient pollution performance of each regulated source." These technology-based standards are within EPA's authority even though they may have the "incidental" effect of causing companies to operate some power plants more, and others less. Later in 2022, Congress enacted the Inflation Reduction Act, which did two things directly pertinent to EPA's authority. First, it provided very large tax incentives to lower the cost of power companies' adopting carbon capture and storage. And second, it directed EPA to set new standards taking into account the effect of these and other IRA incentives. That is what EPA did in the 2024 standards. The president elect has sharply criticized these standards, but neither he nor you have indicated what changes the new administration wishes to make.

- a. Do you agree that EPA has a legal obligation to issue standards for new and existing CO₂-emitting power plants under Section 111 of the Clean Air Act and the Supreme Court's multiple rulings from *Massachusetts v. EPA* through *West Virginia v. EPA*?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I pledge to respect all of Congress's duly enacted statutes delegating authority to the Agency and all binding precedent from the Supreme Court.

- b. Do you agree that it is not possible to stabilize and reduce CO₂ levels in the atmosphere without reducing and eventually eliminating power plants' emissions of CO₂?

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

- c. Are you aware that the so-called Affordable Clean Energy (ACE) rule issued in the first Trump administration would have reduced power plant CO₂ emissions by less than 1 percent overall?

Response: I am not familiar with the particular details of the regulatory analysis that made that conclusion.

- d. Are you aware that the ACE rule could have increased overall emissions by causing high-emitting plants to run more frequently?

Response: I am not familiar with the particular details of the regulatory analysis that resulted in that conclusion.

- e. Do you support carbon capture and storage? Do you know of any other technologies to curb power plant CO₂ emissions?

Response: I support the development of all promising technologies that can offer environmental solutions.

- f. Do you agree that EPA should take into account the cost-reducing incentives Congress provided in Section 45Q when developing power plant CO2 standards?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I pledge to respect all of Congress's duly enacted statutes delegating authority to the Agency.

112. EPA recently reinstated part of the longstanding Once In, Always In policy that requires sources of cancer-causing hazardous air pollutants to monitor, report, and reduce their emissions of hazardous air pollutants (such as super toxic dioxins, mercury, and lead) regardless of if they are categorized as a "major" or "area" source of pollution (these categories have different monitoring and reporting requirements). Undoing this policy would allow for industrial "area" sources to stop monitoring and reporting the amount of hazardous air pollutants they emit, greatly increasing the risk of cancer and other life-altering health effects to communities living near one of these sources, of which there are thousands. Do you commit to keeping the Once In, Always In policy in place?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I pledge to respect all of Congress's duly enacted statutes delegating authority to the Agency.

113. Despite banning lead in vehicle fuel more than 25 years ago, lead continues to be used in general aviation fuel, even though there is an existing, approved unleaded alternative fuel. Lead is a known neurotoxin that has life-altering impacts, especially on babies and young children, who may suffer from neurological impairment, developmental delays, and more even at the smallest amounts of exposure. Will you commit the EPA to ensuring the expeditious phase out of leaded aviation fuel?

Response: If confirmed, I look forward to conferring with EPA's talented scientific and technical experts on these and other important issues.

114. Coal ash is the second largest industrial waste stream in the United States, and the coal industry generates approximately 70 million tons of coal ash every year. Coal ash contains hazardous pollutants including arsenic, boron, cobalt, chromium, lead, lithium, mercury, molybdenum, radium, selenium, and other heavy metals, which have been linked to cancer, heart and thyroid disease, reproductive failure, and neurological harm. Despite the federal 2015 Coal Ash Rule, widespread industry violation of the rule is causing significant groundwater contamination across the country. Last year, EPA acknowledged industry's widespread non-compliance and made enforcement of federal coal ash safeguards an EPA priority as part of the National Enforcement and Compliance Initiative.

- a. Do you believe that coal ash is a hazardous substance capable of contaminating groundwater, surface water, and air with dangerous levels of toxic chemicals?

Response: I understand that EPA regulates coal combustion residuals as solid waste under subtitle D of the Resource Conservation and Recovery Act, which governs non-hazardous solid waste. I am aware that coal combustion residuals contain constituents such as heavy metals.

- b. How will you ensure utilities are complying with federal rule requirements to safely manage and dispose of coal ash?

Response: I commit to enforcing the law. I also commit to partnering with States and Tribes and encouraging them to seek approval from EPA for state permitting programs governing coal combustion residuals.

- c. Will you ensure that regional offices have the resources to inspect and enforce against coal plants?

Response: Funding decisions are ultimately for Congress to make, but I look forward to being briefed on this issue by EPA's career professionals if confirmed.

- d. Will you commit to taking enforcement action against utilities and operators who fail to adhere to the Coal Ash Rules?

Response: I cannot comment on any individual enforcement action the Agency has taken or may take in the future, but generally speaking, I commit to enforcing the law.

- e. Will you continue to rigorously pursue the enforcement actions initiated under the Biden administration?

Response: I cannot comment on any individual enforcement action the Agency has taken or may take in the future, but generally speaking, I commit to enforcing the law.

115. Hundreds of millions of tons of coal ash have been used as a substitute for clean soil - often referred to as "fill"- for construction and landscaping projects, such as school playgrounds, housing and recreational areas. The use of coal ash as fill has led to groundwater contamination due to the leaching of highly toxic contaminants, including carcinogens and neurotoxins. Even a small quantity of ash elevates the risk of cancer, respiratory distress, developmental delays, and other health risks - especially when the fill is uncovered. We have seen these harms play out in places like Gambrills, Maryland; Town of Pines, Indiana; Mooresville, North Carolina; and Guayama, Puerto Rico, where the levels of pollutants found in water and soil far exceeded federal health standards. Communities have been left to deal with the consequences - most of which are environmental justice communities. Despite this, there are no federal safeguards to effectively protect against the use of coal ash as fill.

- a. If confirmed, how will you direct the EPA to protect communities from contamination caused by the use of toxic coal ash used as fill?

Response: I will protect communities facing groundwater contamination in a manner consistent with EPA's statutory authorities from Congress. I am aware that EPA's solid waste regulations under subtitle D of the Resource Conservation and Recovery Act governing coal combustion residuals, first promulgated in the Obama Administration and revised during the First Term of the Trump Administration and again during the Biden Administration, continue to exclude from their scope the beneficial use of coal combustion residuals, so long as that beneficial use meets certain criteria in the regulations. I understand there are numerous environmental benefits from beneficial use of coal combustion residuals, and those should be considered when assessing the overall regulatory approach to coal combustion residuals.

- b. There is little information on where exactly fill was used – dating back to the 1980’s. If confirmed, how will you use EPA authorities to gather data and investigate potentially dangerous fill sites?

Response: I look forward to being briefed on this issue by EPA’s career professionals, if I am confirmed.

- c. If confirmed, will you commit to requiring utilities to make information that they have regarding this threat publicly available?

Response: I look forward to being briefed on this issue by EPA’s career professionals, if I am confirmed.

- d. Do you agree that elevated levels of radium and arsenic in coal ash pose a danger to the public when coal ash is used as fill?

Response: I look forward to being briefed on this issue by EPA’s career professionals, if I am confirmed.

116. EPA finalized its Legacy Coal Combustion Residuals Surface Impoundments rule on May 8, 2024. The new rule addresses the legacy contamination from hundreds of inactive coal ash dumps that were exempted from the EPA’s 2015 rule. EPA establishes groundwater monitoring, corrective action, closure, and post closure care requirements for these dumpsites to ensure that health and the environment are protected from these legacy units. EPA found that legacy coal ash dumpsites are located disproportionately in communities of color and low-income communities.

- a. Do you commit to rigorously defending and enforcing the Legacy CCR Surface Impoundments Rule?

Response: I understand that EPA’s Legacy Coal Combustion Residuals rule is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it. Thus, it would be inappropriate for me to comment on litigation positions in this matter.

- b. Will you ensure that EPA supports no further delay in the implementation of the requirements of this essential rule?

Response: I look forward to being briefed on this issue by EPA’s career professionals, if I am confirmed.

117. The Water Infrastructure Improvements for the Nation Act (WIIN Act) allows states to petition EPA to administer their own coal ash programs in lieu of the federal protections. We anticipate that many states will apply for EPA approval to run their own programs. EPA has denied the State of Alabama’s application to run a federally approved state permit program to manage its coal ash landfills and impoundments because Alabama’s implementation of its state permit program is significantly less protective of people and waterways than federal law requires. The primary reason is because Alabama permits utilities to close ash ponds in contact with groundwater.

- a. Do you commit to standing by the decision to reject Alabama’s permit program?

Response: I look forward to being briefed on this issue by EPA's career professionals, if I am confirmed. If confirmed, I commit to partnering with States and Tribes and encouraging them to seek approval from EPA for state permitting programs governing coal combustion residuals.

B. If confirmed, will EPA continue to examine state permits prior to an authorization decision to determine whether a state program is sufficiently protective of health and the environment and compliant with federal law?

Response: If confirmed, I commit to partnering with States and Tribes and encouraging them to seek approval from EPA for state permitting programs governing coal combustion residuals, and I commit to EPA reviewing any such requests in a manner consistent with the Resource Conservation and Recovery Act and EPA's regulations.

C. Specifically, do you agree that EPA may review state implementation of CCR rules when considering granting or denying a state program approval, including a state's permit history?

Response: If confirmed, I commit to partnering with States and Tribes and encouraging them to seek approval from EPA for state permitting programs governing coal combustion residuals, and I commit to EPA reviewing any such requests in a manner consistent with the Resource Conservation and Recovery Act and EPA's regulations.

118. GAO has identified EPA's management of toxic chemicals in need of major transformation in its biennial high-risk reports. GAO has made recommendations to improve workforce planning that can improve staff hiring and retention among other areas. What will you do to ensure the office has the people it needs to complete its new chemical reviews by the 90-day statutory deadline under TSCA?

Response: It is important for any agency to take its statutory deadlines seriously, and I commit to doing so in a manner consistent with law and resources provided to EPA by Congress.

119. During your time representing Suffolk County, you saw first-hand the harm that chemicals like 1,4-dioxane are causing to frontline communities. The amended Toxic Substances Control Act, or TSCA, requires EPA to evaluate and address chemicals' risks to those communities and other potentially exposed or susceptible groups.

a. Will you commit to using TSCA to protect communities from toxic chemicals?

Response: I commit to following the law.

b. Do you agree with EPA's finding that exposure to 1,4-dioxane in drinking water presents unreasonable risk?

Response: If confirmed, I will confer with EPA's talented scientific and technical experts on 1,4-dioxane in drinking water.

120. As a Member of Congress in 2016, you voted for the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which provided desperately needed reforms to TSCA.

Fundamentally, that bill made two simple, common-sense reforms: it said EPA has to evaluate and manage the risks posed by existing toxic chemicals [like 1,4-dioxane] in a specific timeframe and EPA has to review new chemicals for safety before they can come to market. Indeed, according to a recent survey, 92% of voters agree that the government should require products be proven safe before companies are allowed to put them on the market.

- a. Is it the Trump administration's position that the American people – children, workers, consumers, communities living next to polluting facilities – should be subject to additional toxic chemical exposure?

Response: No. All communities should be equally protected from exposure to chemicals.

- b. Do you commit to implement the Lautenberg Act and oppose any efforts to reopen and weaken it?

Response: If confirmed, I commit to implementing the Lautenberg Chemical Safety Act, and any future changes to the Toxic Substance Control Act that Congress may promulgate, in a manner consistent with the law.

- c. Is it consistent with the Trump administration's Make America Healthy Again agenda to allow toxic chemicals into our air, water, and consumer products with inadequate safety reviews?

Response: If confirmed, I commit to ensuring that chemicals undergo adequate safety reviews.

121. Ethylene oxide is one of the most toxic chemicals this country regulates. It causes a range of cancers, including leukemia, breast cancer, and lymphoma. It is used in a number of applications, including currently sterilizing nearly 50% of medical devices in the US. There are over 80 facilities across the country that use ethylene oxide to sterilize medical equipment – 14 million people live within five miles of one of these facilities and over 115 million people live within 50 kilometers of one. When EPA conducted a risk review of these facilities, it found that this industry “pose[s] exceptionally high [cancer] risks that are among some of the highest” that EPA has ever seen in such a review – as high as 8,000-in-a-million, or over 8,000 times as high as the risk that we in Congress have told EPA to reduce risk to. Last year, EPA finalized a rule that will reduce ethylene oxide emissions from these facilities by an estimated 90%. It did so by using its authority to set health-protective standards. Nevertheless, the chemical industry is suing EPA over this rule and is challenging the Agency's authority to set such health-protective standards.

- a. Do you believe that EPA should use its authority to review its existing rules for air pollutants to see if additional health protective standards are necessary?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I pledge to respect all of Congress's duly enacted statutes delegating authority to the Agency.

- b. Will you defend the agency's authority to set health protective standards if they are necessary to provide an ample margin of safety to the public?

Response: I commit to defending the Agency's authority duly delegated to it by Congress and implementing that authority in a manner that appropriately protects public health and the environment consistent with the rule of law and the evidence before the Agency.

122. EPA is scheduled to propose additional rules to protect communities from ethylene oxide emissions from hospitals this year and from storage warehouses in 2027. Will you commit to moving these rules forward and doing so on time?

Response: I cannot prejudge any particular issue of this nature.

123. One of EPA's critical functions is its oversight over toxic pesticides, to ensure that their use doesn't compromise our health or important natural resources—like clean air and clean water. Yet the agency's pesticide office has historically downplayed or ignored independent science of human health threats posed by these chemicals²¹, leading to pesticide approvals that have failed to protect Americans and our environment from becoming poisoned. The agency is currently in the middle of regulatory reviews of several major pesticide chemicals, including neonicotinoids or "neonics," the nation's most widely used insecticides, and also the most frequently detected insecticides (imidacloprid) in the water supply for Long Island,²² where you once served. At the same time, growing evidence shows that wasteful pesticide overuse pushed by large chemical corporations is harming the health of Americans. For example, a recent study finds neonic pesticides in the bodies of over 95% of pregnant women tested across the

²¹ The Department of Yes: How Pesticide Companies Corrupted EPA and Poisoned America, The Intercept, June 30, 2021, <https://theintercept.com/2021/06/30/epa-pesticides-exposure-opp/>

²²Pesticides and their degradates in groundwater reflect past use and current management strategies, Long Island, New York, USA, Fisher et al., Science of the Total Environment, 2020, <https://pubs.usgs.gov/publication/70212622>

country²³, with other research²⁴ indicating that EPA has long ignored the neurotoxic threats these chemicals pose, especially to children, including risks of birth defects of the heart and brain, hormonal irregularities, and cognitive impairment.

- a. Will you commit to a full, rigorous, and transparent review of the human health risk assessments for the neonic chemicals by EPA's Scientific Advisory Panel, including opportunity for public comment?

Response: I commit to implementing the Federal Insecticide, Fungicide, and Rodenticide Act in a manner that appropriately protects public health and the environment consistent with the rule of law and the evidence before the Agency.

- b. Will you commit to treat all the neonic chemicals as a cumulative assessment group²⁵ under the Food Quality Protection Act (FQPA)?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I look forward to being briefed by EPA's talented scientific and technical experts on this subject.

- c. Will you commit to account for neurotoxic risk to children exposed in the womb by retaining the FQPA's "children's health safety factor"²⁶ for all the neonic pesticide chemicals, which would further limit the allowable amount of these chemicals in our food?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I look forward to being briefed by EPA's talented scientific and technical experts on this subject.

124. Recently, the U.S. Fish and Wildlife Service has found that the monarch butterfly has declined so profoundly that it requires protection under the Endangered Species Act to prevent its extinction. Exposure to pesticides was listed as one of the primary drivers of the monarch's decline. Robert F. Kennedy, Jr. has raised similar concerns, writing that the main cause of the monarch's disappearance is, and I quote, "the soaring use of the powerful weed killer glyphosate, first marketed as Roundup by biotech giant Monsanto." He said, quote "glyphosate use has risen tenfold and devastated the monarchs' milkweed habitat." He also warns that the insecticide BT is quote "putting holes in the stomach of caterpillars and may account for the disappearance of all our butterfly species."²⁷ Will you commit to doing everything in your power to ensure that the iconic monarch butterfly is not driven to extinction by glyphosate and other dangerous pesticides?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I look forward to being briefed by EPA's talented scientific and technical experts.

²³ Exposure to Contemporary and Emerging Chemicals in Commerce among Pregnant Women in the United States: The Environmental influences on Child Health Outcome (ECHO) Program, Buckley et al., *Ecotoxicology and Public Health*, May 10, 2022, <https://pubs.acs.org/doi/10.1021/acs.est.1c08942>

²⁴ Neonicotinoid pesticides: evidence of developmental neurotoxicity from regulatory rodent studies, Sass, Donley, and Freese, *Frontiers in Toxicology*, Oct. 1, 2024, <https://www.frontiersin.org/journals/toxicology/articles/10.3389/ftox.2024.1438890/full>

²⁵ Cumulative Assessment of Risk from Pesticides, U.S. Environmental Protection Agency, Feb. 20, 2024 <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/cumulative-assessment-risk-pesticides#:~:text=A%20cumulative%20risk%20assessment%20evaluates,potential%20exposures%20across%20the%20country>

²⁶ Application of the Food Quality Protection Act children's health safety factor in the U.S. EPA pesticide risk assessments, Naidenko, *Environmental Health*, Feb. 10, 2020 <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-020-0571-6#:~:text=The%20Food%20Quality%20Protection%20Act%20of%201996%2C%20or%20FQPA%2C%20required,safe%20for%20infants%20and%20children>

²⁷ Robert F. Kennedy Jr.: The vanishing monarch butterfly, *The Providence Journal*, Nov. 5, 2014, <https://www.providencejournal.com/story/news/2014/11/06/20141106-robert-f-kennedy-jr-the-vanishing-monarch-butterfly-ec/35263204007/>; GMOs and Monsanto with Jeffrey Smith, RFK Jr. Podcast, June 20, 2023, <https://www.podchaser.com/podcasts/rfk-jr-podcast-1987789/episodes/gmos-and-monsanto-with-jeffrey-176587124>

125. Organophosphates are an acutely toxic class of pesticides. They are widely used and commonly found in our drinking water and on our produce, including leafy greens, berries, and citrus. Organophosphates make people sick with symptoms like headaches, nausea, dizziness, breathing difficulties, and at very high exposures even seizures and death. Even more troubling, children are at risk of reduced IQ, autism, and attention deficit disorders at very low levels of exposure. EPA has proposals to provide important protections from three organophosphates: acephate, malathion, and dimethoate. Will you commit to finalizing these critical protections?

Response: I cannot prejudge any particular issue of this nature. If confirmed, I look forward to being briefed by EPA's talented scientific and technical experts.

126. Many states and local governments have enacted pesticide buffer zones near schools and homes, but recent legislative proposals aim to preempt these protections. Do you support legislative efforts to eliminate communities' rights to establish localized safeguards against pesticide exposure?

Response: If confirmed, I look forward to first being briefed on this topic by EPA's talented scientific and technical experts.

127. Farmworkers face disproportionately high levels of pesticide exposure. How will you ensure stronger enforcement of workplace protections and improve the EPA's collaboration with the Department of Labor to safeguard these essential workers?

Response: If confirmed, I commit to work with EPA's scientific and technical experts and the Department of Labor to ensure that farmworkers are appropriately protected.

128. Several statutes give effect to Congress's constitutional power of the purse, reflecting its responsibility to provide appropriations to federal agencies, and its prerogative to place limitations on the availability of those appropriations, specifically, their availability as to purpose, amount, and time. Among these, the Antideficiency Act prohibits agencies from spending in advance, or in excess, of an appropriation. There is also a statutory framework for the execution – that is, the obligation and expenditure – of appropriations, as well as procedures for use when the President or executive branch disagrees with the policy embodied in an appropriation and therefore does not wish to obligate available funds.

a. Do you believe that the president or executive branch can ignore congressional appropriation decisions and instructions?

Response: If confirmed, I pledge to respect all of Congress's duly enacted statutes.

b. Do you pledge to respect congressional appropriation decisions and instructions and resist any efforts within the executive branch to circumvent them?

Response: Particularly as a former Member of Congress, I appreciate and respect the Congressional funding process. I commit to fully following the law.

129. The first Trump administration proposed measures to bias cost-benefit methods to produce different results, including proposals to tinker with risk assessment methods to hide or minimize health damage, proposals to raise discount rates, proposals to tinker with cost analyses to exaggerate cost estimates, and proposals to discount or ignore many harmful impacts and thus minimize the savings from regulations. Most of those proposals were rejected by courts, abandoned by the Trump administration, or reversed under President Biden.

a. Will you commit to retain EPA's peer-reviewed and long-standing risk and cost assessment methods and reject proposals to adopt biased methods that ignore whole categories of harm and exaggerate costs?

Response: It is important that regulatory analysis be unbiased in any direction. If confirmed, I look forward to conferring with economists and other talented technical experts on these

important issues.

b. Will you commit that any updates to such methods will be openly and transparently reviewed by scientific and other experts, and through public comment, before being adopted?

Response: I commit to public notice procedures where they are required or otherwise appropriate.

130. I (and Senator Alsbrooks) asked you about plans to slash EPA's workforce and move its headquarters. You did not answer our questions directly.

a. Yes or no, do you support moving EPA's headquarters out of the Washington, DC metropolitan area?

Response: As I stated in the hearing, "no one has expressed to me in any setting since I was announced as nominee or before that, of any plans with regard to moving the EPA headquarters out of D.C."

b. Yes or no, do you support reducing EPA's staff by two thirds or three quarters?

Response: If confirmed, I look forward to working with the talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

c. Yes or no, do you support "traumatizing" EPA employees or making them feel like they are "villains?"

Response: If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

d. Will you commit, as EPA Administrator, to uphold the law passed by Congress and complete the full obligation of IRA funds?

Response: I commit to always following all laws.

131. Administrations typically claim credit for pollution reductions that occur during their tenure as a result of standards issued by their predecessors. There's often a delay in the results because EPA standards generally allow substantial lead time for compliance. Putting aside improvements that are due to past administrations' actions and focusing on what you will do in your tenure to achieve further pollution reductions, what are the top 3 actions you intend to take as EPA Administrator that will reduce greenhouse gas emissions?

Response: It would be inappropriate for me to identify priority actions without first being briefed by EPA's career professionals on these important questions. However, I can commit to working with other federal agencies as well as State, Tribal, and local governments to improve forest management and the use of prescribed fires to address wildfire risk. I also commit to working with the regulated community to improve compliance with Clean Air Act requirements.

132. Do you agree that the costs of climate change outweigh potential costs associated with transitioning to a net zero-carbon economy?

Response: If confirmed, I look forward to conferring with EPA's talented scientific, economic, and technical experts on these and other important issues. I believe in an all-of-the-above energy approach.

133. Do you agree that low-, zero-, and negative-carbon technologies will be a huge source of global jobs, investment, and economic growth in the coming decades? Do you believe that EPA's regulatory regime can help incentivize the development of low-, zero-, and negative-carbon industries here in the United States?

Response: If confirmed, I look forward to conferring with EPA's talented scientific, economic, and technical experts on these and other important issues. As I stated in the hearing, I believe in an all-of-the-above energy approach.

134. The Global Change Research Act of 1990 mandates a periodic report from the federal government to make sure that policy makers and the American people are fully informed of the rising costs and mounting dangers the climate crisis is inflicting on our families, businesses, ranches and farms. The National Climate Assessment, last published in 2023, is written by the EPA and a dozen other federal agencies. It provides citizens and policymakers with the sound science, reliable metrics and essential guidance we need to respond to the impacts of rising seas, withering drought, blistering heat and the raging wildfires, storms and floods that threaten every community in this country.

a. Do you commit to ensuring that the next National Climate Assessment is conducted and completed on time in full compliance with the Global Change Research Act?

Response: I commit to following the law.

b. Will you support the professional scientists and other civil servants in your agency and in sister agencies that work on this report?

Response: If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

135. Nearly 20 years ago, Congress directed EPA to create a Greenhouse Gas Reporting System for emissions of climate-changing pollutants from industrial sources. Do you commit to maintaining the scope of the current GHG Reporting System?

Response: I commit to following the law.

136. The Greenhouse Gas Reduction Fund, which Congress established in the Inflation Reduction Act and which EPA administers, is a historic investment in our economy that will improve the lives of hardworking, everyday Americans. This program will unlock an unprecedented flow of public and private capital to places that have been overlooked for far too long, including rural, Tribal, energy transition, and other disadvantaged communities. By catalyzing investments in these communities, the Greenhouse Gas

Reduction Fund will lower energy bills for households and small businesses, create new jobs and economic opportunity, and improve public health and community resiliency. Can assure this Committee that under your leadership, EPA will not slow or hinder access to under the Fund investments that will help everyday Americans save money on energy, especially those living in rural, Tribal, energy transition, and other disadvantaged communities?

Response: I commit to following the law. I cannot prejudge particular outcomes.

137. Thanks to the Greenhouse Gas Reduction Fund, local lenders and private investors are already finalizing investments in high-impact projects across the country. In fact, by EPA's own estimates, every public dollar invested through the Greenhouse Gas Reduction Fund will leverage about seven dollars in private investment.

- a. Do you agree that private lenders and investors expect and require that contracts be honored when making investment decisions and building out their project pipelines?

Response: I commit to following the law.

- b. Do you pledge not hinder access to funds that have already been contractually obligated to awardees to deploy into projects across the country — funds that private lenders are already making investment decisions around?

Response: I commit to following the law.

138. EPA has made tremendous strides in recent years advancing its environmental justice and civil rights compliance programs, with clear Congressional approval and support. These programs are critical to ensuring that EPA achieves its mission in two important respects. First, the civil rights compliance program ensures that within the United States we follow the law – including the civil rights laws – when pursuing environmental and public health protections. And second, in pursuit of EPA's mission achievement, the environmental justice program ensures that the agency achieves the same level of protection for the environmental and public health of all communities.

- a. Do you accept that there are communities in New York and across the United States that for generations have faced levels of toxic pollution in their air, land, and water, as well as lesser access to natural resources, which result in these communities not being as protected as other communities across the United States?

Response: I believe that every American deserves access to clean air and water.

- b. Do you agree that EPA will not have achieved its mission until these communities' environmental and public health conditions have been sufficiently improved and safeguarded to levels achieved for other communities?

Response: I believe that every American deserves access to clean air and water.

- c. Are you aware that EPA's practice over many decades has been to ignore the

cumulative impacts of multiple sources of pollution on highly vulnerable communities?

Response: I am not aware of the details of the particular historical policies that you reference. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- d. Do you accept that continuing support for the environmental justice programs described above are needed to assure that the EPA follows the civil rights laws as well as the environmental laws?

Response: I cannot prejudge outcomes. I commit to following the law.

- e. Do you agree that undermining or reducing these expert staff or prohibiting the use of these tools will greatly damage EPA's ability to achieve its mission that every community and everyone in the United States should have safe air, water, and land?

Response: I cannot prejudge outcomes.

- f. Do you accept that supporting communities to be viable and effective partners to EPA – as well as to government agencies at all other levels – is a necessary element of identifying solutions to long-standing environmental and public health challenges?

Response: It is critical for EPA to work transparently and cooperatively with all stakeholders, including communities, States, Tribes, local governments, non-profit groups, and the regulated community.

- g. Do you accept that it is not only proper but necessary for EPA to continue to provide support directly to communities in the form of meaningful engagement, technical assistance, and grants, in order to build community capacity?

Response: Yes, EPA should continue to take steps to engage with all stakeholders and build community capacity in a manner consistent with the law. I understand that EPA administers numerous grant programs authorized by Congress. Likewise, I understand that EPA provides important technical assistance to States, Tribes, local governments, and other partners.

139. Rhode Island and your home state of New York have both been at the forefront of efforts to address plastic pollution, and both have passed several laws aimed at reducing plastic waste and improving recycling efforts.

- a. As EPA Administrator, how would you build on these state-level efforts to enhance national plastics recycling programs and address the vast amount of plastics polluting our beaches, waterways, and terrestrial environment?

Response: I am aware that EPA has long viewed recycling as beneficial to our environment. For example, EPA has stated that recycling efforts reduce the need to extract new natural resources, reduce greenhouse gas emissions, conserve energy, and divert waste from landfills. EPA administers a number of voluntary programs to promote recycling and the circular economy, and

I look forward to working on this important issue if confirmed as Administrator, including by working with EPA's State, Tribal, and local government partners.

- b. Specifically, what steps will you take to improve the effectiveness of plastics recycling at a national level, ensuring that it is more economically viable and

Response: I am aware that EPA has long viewed recycling as beneficial to our environment. For example, EPA has stated that recycling efforts reduce the need to extract new natural resources, reduce greenhouse gas emissions, conserve energy, and divert waste from landfills. EPA administers a number of voluntary programs to promote recycling and the circular economy, and I look forward to continuing work on this important issue if confirmed as Administrator.

140. If confirmed, how will you ensure that your agency upholds and advances the federal trust responsibility to Indian tribes, and respects their rights to sovereignty and self determination in its policies, actions, and resource allocation decisions?

Response: If confirmed, I commit to following the law with respect to Tribes and tribal governments, and I will follow EPA's tribal consultation policy.

141. If confirmed, how will you ensure that your agency respects the federal trust responsibility to Tribes, particularly through prioritizing budget requests and federal funding allocation, staffing, and policy implementation? Additionally, how will you measure and report progress in advancing the needs of Native communities, and how will you ensure that these efforts are transparent and accountable to Congress and to the communities you serve?

Response: While it is premature to take specific positions on budget requests, funding allocation, and staffing levels before I have been fully briefed on issues pertaining to the Agency, I look forward to being briefed on these issues and taking appropriate action to uphold the Agency's commitment to Tribes.

142. One in three Tribal homes do not have adequate indoor plumbing or safe drinking water. What will you do to improve Tribal water infrastructure so children and families on Tribal lands have clean water to drink?

Response: I am aware that Congress has established various programs that EPA administers to provide support for water infrastructure projects to Tribes, including the Water Infrastructure Improvements for the Nation Act grant programs and Drinking Water State Revolving Fund that includes a tribal "set-aside." If confirmed, I commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

143. The Bipartisan Infrastructure Law (BIL) and the Inflation Reduction Act of 2022 provided funding for the Environmental Protection Agency to support the construction and repair of Tribal clean water infrastructure, but there isn't enough to make a dent in this problem. Will you commit to request necessary funding to implementing these historic investments in clean water infrastructure for Tribal Nations?

Response: Although funding decisions are for Congress to make, I look forward to being briefed on these issues in the pursuit of clean water across America.

144. The EPA defines cumulative impacts as "the totality of exposures to combinations of chemical and nonchemical stressors and their effects on health and quality-of-life outcomes." As EPA administrator, would you support incorporating the consideration of cumulative impacts on affected communities into Agency decision-making, including permitting decisions?

Response: I cannot prejudge any policy decision. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

145. Federal agencies often assess pollutants in isolation, leaving communities in the dark about combined risks. How will you improve data collection and transparency to provide communities with a fuller picture of their cumulative health risks?

Response: Transparency and risk communication are important parts of accomplishing EPA's mission.

For questions 146 through 159, the following definitions apply:

- A "foreign person" includes both (1) a natural person who is not a United States citizen or an alien lawfully admitted for permanent residence to the United States; and (2) an entity not organized under the laws of the United States or any jurisdiction within the United States.
- A "foreign government" includes any agency or instrumentality of such government.
- "Zeldin Strategies" includes the corporate entity, any employees of the corporate entity, and you individually as the CEO of Zeldin Strategies and in your personal capacity.

146. In your OGE Form 278e, you identified your current business as Zeldin Strategies. The website of Zeldin Strategies states that it "provides clients with expert services covering strategy, public relations, acquisitions, crisis management, and much more." Since its founding, has Zeldin Strategies provided services to any of the following:

- a. A foreign government? Response: No
- b. An entity owned or controlled by a foreign government? Response: No
- c. A foreign person? Response: No
- d. An entity owned or controlled by a foreign person? Response: Yes

147. Please provide a list of each government, person, and entity covered by Question 146, including the dates of services provided to each and a detailed description of the services provided.

Response: Heritage Advisors, April 2023 – December 2023, Consulting Services not involving any lobbying or other activities requiring registration under FARA.

148. Since its founding, have you and/or Zeldin Strategies contacted or engaged with any of

the following on behalf of any client:

- a. A foreign government? Response: No
- b. An entity owned or controlled by a foreign government? Response: No
- c. A foreign political party? Response: No
- d. An international organization (including international treaty organizations such as the European Union)? Response: No
- e. An entity of an international organization (including international treaty organizations such as the European Union)? Response: No

149. Please provide a list of the contacts and engagements covered by Question 148, including:

- a. An identification of:
 - i. Each government or entity contacted or engaged with; Response: N/A
 - ii. Each applicable Zeldin Strategies client; Response: N/A
- b. The dates of each contact or engagement; and Response: N/A
- c. A description of each contact or engagement. Response: N/A

150. Since its founding, has Zeldin Strategies advised, counsel, or otherwise provided services to a client about how to contact or engage with any of the following:

- a. A foreign government? Response: No
- b. An entity owned or controlled by a foreign government? Response: No
- c. A foreign political party? Response: No
- d. An international organization (including international treaty organizations such as the European Union)? Response: No
- e. An entity of an international treaty organization (including international treaty organizations such as the European Union)? Response: No

151. Please provide a list of the clients covered by Question 150, including:

- a. An identification of the government or entity with respect to which advice, counsel, or other services was provided; Response: N/A
- b. A description of the advice, counsel, or other services provided by Zeldin Strategies; and Response: N/A
- c. The dates on which the advice, counsel, or other services were provided. Response: N/A

152. Since its founding, has Zeldin Strategies contacted or engaged with any of the following on behalf of a client:
- a. An agency of the United States government? Response: No
 - b. The U.S. Congress? Response: Yes
 - c. A U.S.-incorporated news network, social media platform, or other source of information for the American public? Response: Yes
153. Please provide a list of the contacts and engagements covered by Question 152, including:
- a. An identification of:
 - i. The entity contacted or engaged with; Response: Congress, Media
 - ii. Each applicable Zeldin Strategies client; Response: New York Cancer and Blood Specialists (Congress), Building America's Future (Media), America First Policy Institute (Media)
 - b. The dates of each contact or engagement; and Response: Do Not Have Dates Recorded
 - c. A description of each contact or engagement. Response: Contacts re 152b were political/campaign related. Contacts re 152c were to assist with Public Relations.
154. Since its founding, has Zeldin Strategies advised, counsel, or otherwise provided services to a client about how to contact or engage with any of the following:
- a. An agency of the United States government? Response: No
 - b. The U.S. Congress? Response: Yes
 - c. A U.S.-incorporated news network, social media platform, or other source of information for the American public? Response: Yes
155. Please provide a list of the clients covered by Question 154, including:
- a. An identification of the government or entity with respect to which advice, counsel, or other services was provided; Response: Congress, Media
 - b. A description of the advice, counsel, or other services provided by Zeldin Strategies; and Response: Strategy
 - c. The dates on which the advice, counsel, or other services were provided. Response: Do Not Have Dates Recorded
156. In your OGE Form 278e, you identified Heritage Advisors, a London-based entity, as a client of Zeldin Strategies. Heritage's website describes the entity as "a privately-held

venture capital and investment management firm based in London. The firm is a global investor led by His Excellency Sheikh Sultan bin Jassim Al Thani of Qatar.” Publicly available information establishes that Al Thani is a citizen of Qatar.

a. Please describe in detail the services provided to Heritage Advisors and/or Al Thani.

Response: Consulting Services to Heritage Advisors not involving any lobbying or other activities requiring registration under FARA

b. Please identify the dates of the services you provided to Heritage Advisors and/or Al Thani.

Response: April 2023 – December 2023

c. Has Heritage Advisors and/or Al Thani personally invested in any of the following while you were providing services to them:

i. A foreign government? Response: Unknown

ii. An entity owned or controlled by a foreign government? Response: Unknown

iii. A foreign person? Response: Unknown

iv. An entity owned or controlled by a foreign person? Response: Unknown

d. Has Zeldin Strategies contacted or engaged with any of the following on behalf Heritage Advisors and/or Al Thani personally:

i. An agency of the United States government? Response: No

ii. The U.S. Congress? Response: No

iii. A U.S.-incorporated news network, social media platform, or other source of information for the American public? Response: No

e. Has Zeldin Strategies advised, counsel, or otherwise provided services to a client about how to contact or engage with any of the following? Response: Same question as 154 above

i. An agency of the United States government?

ii. The U.S. Congress?

iii. A U.S.-incorporated news network, social media platform, or other source of information for the American public?

157. If the answer is yes to any part of Question 156(c), please describe any involvement you had with respect to any investments covered by that question. Response: N/A

158. If the answer is yes to any part of Question 156(d), please provide a list of the contacts

and engagements covered by that question, including:

- a. An identification of:
 - i. The entity contacted or engaged with; Response: N/A
 - ii. Each applicable Zeldin Strategies client; Response: N/A
- b. The dates of each contact or engagement; and Response: N/A
- c. A description of each contact or engagement. Response: N/A

159. If the answer is yes to any part of Question 156(e), please provide a list of the clients covered by that question, including: Response: Same question as 155 above

- a. An identification of the government or entity with respect to which advice, counsel, or other services was provided;
- b. A description of the advice, counsel, or other services provided by Zeldin Strategies; and
- c. The dates on which the advice, counsel, or other services were provided.

Senator Sanders:

1. The EPA's Lake Champlain Geographic program is a critical and highly successful source of federal funding that helps Vermont and New York address invasive species, nutrient and toxic substance pollution, and conservation needs related to Lake Champlain. If confirmed, will you commit to working with me, and within the administration, to fight for increased funding for this program?

Response: While funding decisions are for Congress to decide, I commit to implementing EPA's Geographic Programs consistent with law. I also commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

2. During this hearing, Senator Moran asked you questions related to the EPA's Clean Water and Drinking Water State Revolving Funds. As you know, these EPA programs are critically important for small communities in rural states like Vermont that want to repair, maintain, and upgrade their aging drinking water and wastewater systems. If confirmed, will you commit to working with me, and within the administration, to fight for increased funding for these programs?

Response: While funding decisions are for Congress to decide, I commit to implementing the State Revolving Funds consistent with law. I also commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

3. The EPA Brownfields program is critical to ensuring that property contaminated by hazardous substances and pollution is remediated to unlock the full benefits of that

property's economic development. Vermont alone has 164 sites enrolled in the EPA's Brownfields program, and cleaning up these sites putting them back into productive use would protect the environment, reduce blight, and take development pressures off green spaces and working lands. If confirmed, will you commit to working with me, and within the administration, to fight for increased funding for this program?

Response: While funding decisions are for Congress to decide, I commit to implementing the Brownfields program consistent with law. I also commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

4. Over the past four years, Congress has appropriated funding for a number of Congressionally Directed Spending projects for critical drinking water and wastewater system projects in rural communities across Vermont. If confirmed, will you commit to working with me to ensure funding for these projects is administered and disbursed in a timely manner?

Response: If confirmed, I will follow the law and work to have an effective and efficient disbursement process. I also commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

5. During the hearing, you told Ranking Member Whitehouse that you believe in leaving science to the scientists in regard to the effects that fossil fuel combustion is having in the atmosphere. The vast majority of scientists agree that climate change is real and that it is caused by carbon emissions that are driven by the burning of fossil fuels. Given that you believe in leaving science to the scientists:

- a. Do you agree with the vast majority of scientists that the burning of fossil fuels is a main cause of climate change?

Response: I understand that scientists have found that emissions released from the combustion of fossil fuels contribute to climate change.

- b. Do you agree with the vast majority of scientists that human activities are responsible for almost all of the increase in greenhouse gases in the atmosphere over the last 150 years?

Response: Scientists have found that human activity is a significant contributor to climate change.

- c. Do you agree with the vast majority of scientists that fossil fuels are the largest source of anthropogenic greenhouse gas emissions in the United States?

Response: I understand that scientists have found that emissions released from the combustion of fossil fuels contribute to climate change.

- d. Do you agree with the vast majority of scientists that addressing climate change requires aggressively moving away from fossil fuels towards energy efficiency and renewable sources of power?

Response: As I stated at the hearing, I believe in an all-of-the-above energy approach.

- e. Do you agree with the vast majority of scientists that climate change is making wildfires more frequent and severe?

Response: There are many causes to wildfires including the age of the forest, proper forest management, and accidents.

- f. Do you agree with the vast majority of scientists that the ongoing wildfires in Los Angeles were exacerbated by climate change?

Response: I am not aware of a vast majority of scientists having researched and released studies with that conclusion regarding this recent and ongoing event.

- g. Do you agree with the vast majority of scientists that climate change is exacerbating major flooding events like the ones Vermont has experienced over the past two years?

Response: As stated in my hearing, I believe that we must be addressing these issues with urgency.

6. During the hearing, you told me that climate change is an issue that we must be addressing "with urgency". If confirmed, will you commit to promulgating EPA rules and regulations that address climate change with urgency and do not weaken current any current EPA regulations related to climate change?

Response: It would not be appropriate to commit to promulgating any particular rule, or to the outcome of the review of any existing rule.

7. During the hearing, you told Senator Schiff that disaster assistance should be provided to states regardless of whether they are red states or blue states. As you may be aware, several members of Congress have proposed attaching "policy strings" to disaster aid for the ongoing Los Angeles wildfires, including requiring disaster aid to pass alongside a raise in the debt limit or requiring California to repeal state-level regulations related to climate change in exchange for receiving disaster aid. Given that you believe disaster assistance should be provided to states regardless of their political leanings, do you

oppose attaching “policy strings” to federal aid for disasters including the ongoing Los Angeles wildfires?

Response: We are all concerned about these fires and their impacts. I commit to using all available means to urgently address them. As a nominee for EPA Administrator, it is not appropriate for me to comment on the decision before Congress.

8. Congress appropriated \$41.5 billion through the Inflation Reduction Act and \$60 billion through the Infrastructure Investment and Jobs Act to the EPA for various grant programs.

a. Does the law require the EPA to obligate, administer, and disburse all funds that Congress appropriated to the EPA through the Inflation Reduction Act and the Infrastructure Investment and Jobs Act?

Response: I commit to following the law.

b. Does the law require the EPA to administer and disburse all grant funds that have been obligated by the EPA, including funds that Congress appropriated through the Inflation Reduction Act and the Infrastructure Investment and Jobs Act, in a timely manner?

Response: I commit to following the law.

c. If confirmed, will you commit to directing EPA staff to administer and disburse all grant funds that have been obligated by the EPA?

Response: I commit to following the law.

d. If you will not commit to directing EPA staff to administer and disburse all grant funds that have been obligated by the EPA, what are the specific conditions under which you might direct EPA staff to attempt to withhold grant funding that has been legally obligated by the EPA?

Response: I commit to following the law.

9. The EPA recently reinstated part of the longstanding “Once in, Always In” policy that requires most sources of cancer-causing hazardous air pollutants to monitor, report, and reduce their emissions of hazardous air pollutants regardless of their categorization as a “major” or “area” source of pollution. Undoing this policy would allow for industrial “area” sources to stop monitoring and reporting the amount of hazardous air pollutants they emit, greatly increasing the risk of cancer and other life-altering health effects for thousands of communities across the country.

- a. Do you believe that living near a source of significant benzene emissions is harmful to human health?

Response: I would have to confer with the scientists at EPA to make a judgment on this question. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- b. Do you believe that living near a source of significant arsenic emissions is harmful to human health?

Response: I would have to confer with the scientists at EPA to make a judgment on this question. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- c. Do you believe that living near a source of significant mercury emissions is harmful to human health?

Response: I would have to confer with the scientists at EPA to make a judgment on this question. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- d. When the previous Trump EPA rolled back enforcement of the "Once in, Always In" policy, about 4,000 sources of hazardous air pollutants were allowed to increase their toxic emissions. Do you believe that families living near these sources of significant hazardous air pollution deserve to breathe clean air that won't make them sick?

Response: While I am not familiar with the particular figure from this rulemaking that you cite, I believe that all Americans should have clean air to breathe. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- e. Do you believe that too many American communities are living near sources of hazardous air pollutants?

Response: I believe that all Americans should have clean air to breathe.

10. The National Ambient Air Quality Standards are a core part of the Clean Air Act, reducing pollution levels for critical pollutants like soot and ozone that are linked to increased rates of asthma, cardiovascular disease, and death. If confirmed, will you commit to keeping these vital public health standards in place?

Response: It would not be appropriate to prejudge the outcome of any particular rulemaking or review of any existing rule.

11. According to the Environmental Integrity Project, over 50 percent of our nation's surveyed surface waters are impaired for at least one Safe Drinking Water Act contaminant. If confirmed, will you commit to reducing the percentage of our nation's surveyed waters that are impaired for at least one current Safe Drinking Water Act contaminant?

Response: Surface water quality is an important issue, and I commit to following the law when implementing EPA's water quality standards program under the Clean Water Act in conjunction with EPA's State and Tribal partners.

12. On October 8, 2024, the EPA issued a final rule, "Lead and Copper Rule Improvements", that requires drinking water systems throughout the country to replace lead pipes within ten years. According to a public poll by Global Strategy Group, over 90 percent of Americans support this rule. If confirmed, will you commit to standing with the vast majority of people who want to see toxic lead and copper removed from their drinking water by defending and enforcing this rule?

Response: I am aware that EPA has concluded that there is no level of exposure to lead that is without some risk, and I appreciate the importance of this issue to you and your constituents. I am aware that EPA first issued a national primary drinking water standards for lead in 1991, and EPA during the Trump Administration's First Term updated that rule for the first time in three decades. I am also aware that EPA issued further revisions to this rule in 2021 and again in 2024. I understand that this rule is currently the subject of litigation, and EPA may have received requests from stakeholders to revisit it, as it does from time to time. Thus, it would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

13. Communities all over the country, including in Vermont, are dealing with extraordinary levels of PFAS contamination in their drinking water, air, and soil. As Senator Capito noted during the hearing, earlier this year the EPA announced final rules on PFAS in line with legislation you supported during your time in Congress to make polluters pay for the cleanup of certain PFAS chemicals.

- a. If confirmed, will you commit to aggressively pursuing polluters to force them to pay for the costs of cleaning up PFAS contamination and ensuring that cleanup costs do not fall on rural Americans?

Response: As I mentioned during my confirmation hearing, when I represented New York's First District in Congress, I was a member of the PFAS Task Force and voted for the PFAS Action

Act. I also saw PFAS issues firsthand in Suffolk County, New York. I commit to following the law when it comes to PFAS or any other environmental issue.

- b. If confirmed, will you commit to not rolling back any regulations that hold polluters accountable for cleaning up the PFAS contamination impacting so many of our rural communities?

Response: I understand the importance of addressing issues related to PFAS. I also understand that a number of rules related to PFAS chemicals are currently the subject of litigation, and EPA may have received requests from stakeholders to revisit them, as it does from time to time. Thus, it would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

- c. If confirmed, will you commit to reducing the number of Americans that have PFAS chemicals in their drinking water by upholding the National Primary Drinking Water Regulations?

Response: I understand the importance of addressing issues related to PFAS. I also understand that a number of rules related to PFAS chemicals are currently the subject of litigation, and EPA may have received requests from stakeholders to revisit them, as it does from time to time. Thus, it would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

14. Ethylene oxide is one of the most toxic chemicals this country regulates. It causes a range of cancers, including leukemia, breast cancer, and lymphoma. Over 80 medical facilities across the country use ethylene oxide to sterilize equipment, which drastically increases the risk of cancer for neighboring communities. Last year, the EPA finalized a rule that will reduce ethylene oxide emissions from these facilities by an estimated 90 percent. The chemical industry is suing the EPA to prevent enforcement of this rule.

- a. If confirmed, will you commit to defending this vital public health regulation?

Response: If confirmed, I commit to following the laws as established and adhering to decisions made by the courts.

15. The EPA is scheduled to propose additional rules to protect communities from ethylene oxide emissions from hospitals later this year, and from storage warehouses in 2027. If confirmed, will you commit to strengthening, not weakening, vital public health protections from ethylene oxide emissions through these scheduled rules?

Response: It would not be appropriate for me to prejudge the outcome of a rulemaking. I can commit to following the laws as established.

16. Scientific research links pesticide exposure to chronic illnesses, including cancer and neurodevelopmental disorders.

- a. If confirmed, will you commit to strengthening monitoring and accountability requirements for pesticide-related health outcomes?

Response: I would have to confer with the scientists at EPA to make a judgment on this question. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- b. If you will commit to strengthening monitoring and accountability requirements for pesticide-related health outcomes, what specific actions will you take to strengthen these requirements?

Response: I would have to confer with the scientists at EPA to make a judgment on this question. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

- 17. Negative health impacts from pollution tend to be clustered in certain areas, which are predominantly low-income communities, Tribal communities, and communities of color.

- a. Do you believe the law gives the EPA the authority to address the disproportionate environmental impacts experienced by these communities?

Response: I believe Congress has authorized EPA to pursue environmental outcomes that benefit all Americans.

- b. Do you believe the law obligates the EPA to address the disproportionate environmental impacts experienced by these communities?

Response: I believe Congress has authorized EPA to pursue environmental outcomes that benefit all Americans.

- c. Do you believe the EPA should address the disproportionate environmental impacts experienced by these communities?

Response: I believe Congress has authorized EPA to pursue environmental outcomes that benefit all Americans.

- d. If confirmed, will you commit to addressing the disproportionate environmental impacts experienced by these communities?

Response: I commit to engaging with all Americans.

e. If confirmed, will you commit to ensuring the EPA meaningfully engages these communities in the EPA decision-making process?

Response: I commit to pursuing environmental outcomes that benefit all Americans, consistent with Congress's direction and the rule of law.

f. Do you believe the EPA has an obligation to address the disproportionate environmental impacts experienced by these communities?

Response: I believe Congress has authorized EPA to pursue environmental outcomes that benefit all Americans.

18. On July 9, 2024, the EPA signed a collective bargaining agreement with the American Federation of Government Employees, Council 238, which represents more than 8,000 EPA employees. If confirmed, will you commit to honoring this contract, as well as any other union contracts that are currently in place between the EPA and its employees, including terms related to the preservation of scientific integrity for EPA employees?

Response: I am not familiar with the terms of the collective bargaining agreement and look forward to being briefed on this contract.

Senator Merkley:

1. If confirmed, how do you intend on addressing plastics, both in terms of reducing plastic in our rivers and oceans and improving access to recycling programs?

Response: I am aware that EPA has long viewed recycling as beneficial to our environment. For example, EPA has stated that recycling efforts reduce the need to extract new natural resources, reduce greenhouse gas emissions, conserve energy, and divert waste from landfills. EPA administers a number of voluntary programs to promote recycling and the circular economy, and I look forward to advancing this important issue if confirmed as Administrator.

a. What steps will you take in response to the body of science demonstrating that plastics contain endocrine-disrupting chemicals that harm human health by interfering with our hormone systems?

Response: I look forward to discussing this issue with EPA's career professionals, if confirmed, and I will act consistent with EPA's statutory authority.

2. If confirmed, what is your strategy and plan for addressing the growing threats of microplastics that negatively impact human health and the environment?

Response: If confirmed, I look forward to being briefed on the issue of microplastics and the impact to human health and the environment by the talented EPA technical and technical experts.

3. The American Chemistry Council has said that converting waste to fuels is not recycling.

Since 1997 it has been the Environmental Protection Agency's position that converting non-hazardous solid waste to fuels or fuel substitutes or for energy production is not recycling. Will you commit to maintaining this long-standing agency position?

Response: If confirmed, I look forward to being briefed on this important issue by EPA's career professionals.

4. If confirmed, do YOU commit to maintaining the structure of the Science Advisory Board?

Response: If confirmed, I commit to ensuring that the Science Advisory Board is balanced and transparent.

5. How will you value expertise possessed by career civil servants at the EPA and ensure decisions are made based on the science, not politics?

Response: If confirmed, I will value expertise on the part of EPA civil servants and on the part of others by listening to their views and taking account of them among other factors in making decisions under the law. Science informs policy but Congress has vested ultimate policy decision-making with the Administrator.

6. Do you agree that legacy uses and disposal of all asbestos fibers present an unreasonable risk to human and environmental health?

Response: If confirmed, I look forward to being briefed on this issue by EPA's career professionals.

7. If confirmed, do you commit to stringently regulating legacy uses and disposal of all asbestos fiber types?

Response: If confirmed, I look forward to being briefed on this issue by EPA's career professionals, and any action taken will be done so consistent with EPA's legal authority.

8. Yes or no, if confirmed will you modify any of the Biden administration's risk management rules or risk evaluations under the Toxic Substances Control Act?

Response: I understand that a number of these rules are currently the subject of litigation, and EPA may have received requests from stakeholders to revisit them, as it does from time to time. Thus it would be inappropriate for me to prejudge the outcome of any regulatory proceeding.

9. The previous Trump administration miscalculated the Toxic Substances Control Act (TSCA) user fees rule. This fee is supposed to collect funding from chemical manufacturers to offset the costs of the TSCA program. Yes or no, if confirmed will you commit to maintaining the current TSCA user fees rule?

Response: I cannot prejudge the outcome of any particular rulemaking or the review of any existing rule. To the extent that the rule complies with Congress's directions and is based on rational policy choices, I will maintain it.

10. When we met, you said that you believe in the mission of the Environmental Protection Agency (EPA) and that if confirmed, you want to rebuild the morale of EPA staff and foster a trusting relationship with the experts at the agency. The nominee for the Office of Management and Budget, Russell Vought has a different take, being quoted as saying, "We want the bureaucrats to be traumatically affected. When they wake up in the morning, we want them to not want to go to work because they are increasingly viewed as the villains. We want their funding to be shut down so that the EPA can't do all of the rules against our energy industry because they have no bandwidth financially to do so. We want to put them in trauma." Do you agree with the objectives stated by Mr. Vought?

Response: If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

a. How do you expect the Environmental Protection Agency to fulfill its mission if its employees are subjected to "trauma" in the workplace?

Response: If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

b. What will you do to protect dedicated staff at the Environmental Protection Agency, including toxicologists, epidemiologists, and other support staff, who work every day to protect our human and environmental health?

Response: If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

11. Yes or no, if confirmed, do you commit to maintaining and implementing the Environmental Protection Agency's drinking water standards for six PFAS chemicals?

Response: I understand that this rule is currently the subject of litigation. Thus it would be inappropriate for me to prejudge the outcome of any regulatory proceeding. I will follow all legal requirements regarding implementation of EPA's regulations.

12. Research has shown that pollution and its negative health impacts tend to be clustered, often in low-income communities, tribal communities, and communities of color. How will the Environmental Protection Agency address the disproportionate environmental impacts experienced by these communities and ensure meaningful community engagement in the agency's decision-making processes?

Response: I believe that every American deserves access to clean air and water, and I commit to working hard to meet the needs of all communities, consistent with the law.

13. The Environmental Protection Agency (EPA) defines cumulative impacts as "the totality of exposures to combinations of chemical and nonchemical stressors and their effects on health and quality-of-life outcomes." If confirmed, would you support incorporating the consideration of cumulative impacts on affected communities into Agency decision making, including permitting decisions?

Response: I cannot prejudge any policy decision. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

14. Yes or no, do you agree with the following statement? "The Environmental Protection Agency must undergo a major reorganization, including developing a tiered-down approach to cut costs, reduce the number of full-time equivalent (FTE) positions, and eliminate programs."

Response: If confirmed, I look forward to working with the career staff at EPA to ensure there is adequate staffing and resources to fulfill the agency's mission to protect human health and the environment.

15. Yes or no, do you agree with the following statement? "The Office of Environmental Justice and External Civil Rights, the Office of Enforcement and Compliance Assistance, and the Office of Public Engagement and Environmental Education must be eliminated as stand-alone entities."

Response: I commit to ensuring that Americans are protected. If confirmed, I look forward to working with the career staff at EPA to ensure the agency's mission to protect human health and the environment is applied equally for all Americans.

16. Yes or no, do you agree with the following statement? "The Environmental Protection Agency's mission would be better served by moving civil servants from headquarters to regional offices."

Response: As I stated in the hearing, "no one has expressed to me in any setting since I was announced as nominee or before that, of any plans with regard to moving the EPA headquarters out of D.C."

17. In April 2024, the Environmental Protection Agency finalized a rule that would designate two per- and polyfluoroalkyl substances (PFAS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Yes or no, do you agree with the following statement? "The designation of PFAS chemicals as "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act should be revisited."

Response: I cannot prejudge any policy decision. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

18. The Integrated Risk Information System program is used to identify and characterize the health hazards of chemicals found in our environment. Yes or no, do you agree with the following statement? "Decision-making for human health assessments must be risk-based rather than by using hazard-based approaches like the Integrated Risk Information System program."

Response: Generally speaking, I understand that the Toxic Substances Control Act requires that EPA determine if a chemical substance presents an unreasonable risk to human health or the environment. If confirmed, I commit to ensuring that "risk" is used as the basis for the risk

evaluation and risk management of chemicals as required by the law.

19. When evaluating chemical exposures for workers in a risk evaluation under the Toxic Substances Control Act (TSCA), the Environmental Protection Agency (EPA) has revisited its posture on assuming that workers use personal protective equipment (PPE) properly or consistently. The EPA cites on its website that, "data violations of PPE use suggest that assumptions that PPE is always provided to workers, and worn properly, are not justified. Continued use of this assumption could result in risk evaluations that underestimate risk, and in turn, risk management rules may not provide the needed protections." Yes or no, do you agree with the following statement? "Risk evaluations and risk management rules promulgated under the Toxic Substances Control Act should presume that workplaces are following all OSHA requirements, including requirements for personal protective equipment (PPE)."

Response: I cannot prejudge any policy decisions. If confirmed, I look forward to working with talented EPA career staff to ensure that any decision is based on the science, available data and supports the Agency's mission to protect human health and the environment.

20. As you may know, the voluntary Safer Choice program at the Environmental Protection Agency provides an opportunity for consumers to easily identify and choose products that contain ingredients considered safer for their health and the environment. Yes or no, do you agree with the following statement? "The Safer Choice program should be transitioned to the private sector."

Response: I am aware of the benefits of the Safer Choice program, although I cannot prejudge any decisions on this issue before being briefed by EPA's career professionals on this issue.

21. In advance of your hearing, you were required to submit both a Questionnaire to the Committee as well as a Form 278e financial disclosure to the Office of Government Ethics (OGE). The OGE Form 278e is publicly available. In that disclosure you listed op eds that were not listed on the Questionnaire submitted to the Committee. Some of those op-eds were on subjects that seem pertinent to the Committee, including a FOX News op ed about New York's climate targets and a Newsday piece about environmental, social and governance policies. Why did you not list these pieces on the Committee Questionnaire?

Response: In the questionnaire, I highlighted several op-eds I published while in Congress, which highly exemplified my long-standing work on environmental issues. At the end of my list of publications, I offered to submit any additional sources into the record upon request by the committee.

22. You indicated in your hearing that you supported full transparency about the articles you had written. Will you provide this committee with the full list of op-ed articles that you have received payment for, including the subject of those op-eds that were never ultimately published?

Response: Below are links to the op-eds I received payment for:

<https://www.washingtonexaminer.com/restoring-america/2908643/biden-administration-is-using-medicaid-regulations-to-target-red-states/>

<https://www.washingtontimes.com/news/2023/jul/13/bidens-financial-regulators-give-china-backed-brok/>

<https://nypost.com/2024/08/29/opinion/harris-housing-plan-would-inflate-costs-worsen-the-crisis/>

https://www.realclearpolicy.com/articles/2023/03/03/how_congress_can_stop_the_next_fix_885118.html

<https://www.foxnews.com/opinion/new-york-targets-beef-producers-cant-meet-its-own-climate-goals>

<https://www.newsday.com/opinion/commentary/guest-essays/esg-investing-yte5q4zn>

<https://www.newsweek.com/last-thing-americans-need-another-broken-federal-retirement-program-opinion-1798123>

The subjects of the op-eds that were not published were finance sector-related submissions.

a. Who has provided you with drafts of or feedback on op-eds?

Response: LMZ Consulting worked with the firms that retained LMZ Consulting.

b. Who hired CGCN, DCI, and CRC Advisors to commission you to draft the op-eds for which those firms paid you?

Response: Unknown

c. Will you grant permission for the Environment and Public Works Committee to release that information publicly?

Response: I have no objection to the EPW Committee releasing my answers to Question 22A/B.

23. You reported receiving \$21,675 from FOX News Network for the use of your media studio. How much of this was for use of the studio for interviews that FOX News conducted with you?

Response: \$21,675, although the studio was made available for use by others.

24. You reported receiving \$5,100 from Nexstar Media Group, Inc. for the use of your media studio. How much of this was for use of the studio for interviews that Nexstar Media Group, Inc. conducted with you?

Response: \$5,100, although the studio was made available for use by others.

Senator Markey:

1. During your tenure in the House of Representatives, you voted twice for the *PFAS Action Act*, which requires the Environmental Protection Agency (EPA) to set drinking water

standards for per- and polyfluoroalkyl substances (PFAS). More than 100 million people will have cleaner drinking water as a result of the EPA's final maximum contaminant levels (MCL) for PFAS in drinking water. While ten states have their own PFAS drinking water standards, 40 states do not, leaving their residents with no protections if the national standard was to be eliminated. Do you agree that people should have clean water regardless of where they live?

Response: Yes

- a. If confirmed, will you ensure that the drinking water standard goes into effect in 2029?

Response: As I mentioned during my confirmation hearing, when I represented New York's First District in Congress, I was a member of the PFAS Task Force and voted for the PFAS Action Act. I also saw PFAS issues firsthand in Suffolk County, New York. I understand EPA's drinking water standards for certain PFAS are currently under review in federal court, and thus it would be inappropriate for me to prejudge the outcome of any future action that may be taken regarding these standards. I look forward to being briefed by EPA's career professionals on this issue, if confirmed.

- b. If confirmed, will you preserve, not weaken, the PFAS drinking water standard?

Response: I understand EPA's drinking water standards for certain PFAS are currently under review in federal court, and thus it would be inappropriate for me to prejudge the outcome of any future action that may be taken regarding these standards. I look forward to being briefed by EPA's career professionals on this issue, if confirmed.

- c. How will you build upon drinking water standards under the Safe Drinking Water Act to prevent additional contamination of our nation's drinking water with PFAS?

Response: It would be inappropriate for me to prejudge the outcome of any future action that may be taken regarding these standards. I look forward to being briefed by EPA's career professionals on this issue, if confirmed.

2. Following the designation of certain types of PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act, will EPA evaluate the risks from PFOA and PFOS during the mandatory five-year review of Superfund site remedies?

Response: If confirmed, I commit to following the law.

3. How will you work to limit industrial wastewater discharges of PFAS through effluent limitation guidelines under the Clean Water Act?

Response: If confirmed, I commit to following the law, and I look forward to being briefed by EPA's career professionals on this issue.

4. The EPA signed a memorandum of understanding with the Department of Labor to apply high-road labor standards to EPA programs funded by the Bipartisan Infrastructure Law

and Inflation Reduction Act. If confirmed, will you uphold this MOU and support high road labor standards, including prevailing wages, apprenticeship requirements, and project labor agreements?

Response: It is critical to work cooperatively with other agencies across the federal government. I have not reviewed this memorandum of understanding; however, if confirmed, I look forward to reviewing it.

5. The National Ambient Air Quality Standards are a core part of the Clean Air Act and have helped clean up America's skies since their bipartisan passage in 1970. These standards reduce pollution for a handful of critical pollutants, such as soot and ozone pollution, which are linked to increased rates of asthma, lost school and work days, cardiovascular disease, and death. Will you commit to enforcing these life-saving and economy-boosting public health standards?

Response: I commit to following the law.

6. In 2019, you voted to prevent the federal government from considering the economic costs of climate change. A 2024 study found that climate change alone will cost an average American born today nearly a million dollars over their lifetime, through a combination of cost-of-living increases, reduced earnings, increased healthcare costs, and natural disaster damages. Will you commit to ensuring the EPA factors climate-related economic impacts into its decision-making under your leadership?

Response: I commit to taking into consideration all benefits and costs as allowed by law and appropriate in the particular regulatory context.

7. The first EPA Administrator Bill Ruckelshaus—appointed by President Nixon—said “*EPA is an independent agency. It has no obligation to promote agriculture or commerce; only the critical obligation to protect and enhance the environment.*” On Fox News in November, you emphasized your commitment to rolling back regulations on day one, framing environmental protections as burdens on businesses. However, these regulations are critical to safeguarding clean air and water for Americans, as well as addressing environmental harms from climate change. While burdens to businesses can be considered during rulemakings, EPA was designed not to have an inherently economic-focused mission. Given your stated plan to roll back clean air and water protections, how will you uphold and prioritize EPA's mission to protect public health and the environment?

Response: Protecting the environment is a vital mission, but it cannot be done with disregard for the burdens that regulations can impose. The Supreme Court has held that agencies are generally required to consider the costs and benefits of their regulations, and has found in the past that EPA violated the law by refusing to do so. EPA and all agencies must act according to the law, which is the only way that their policies will be durable.

8. Coal ash contains hazardous pollutants including arsenic, boron, cobalt, chromium, lead, lithium, mercury, molybdenum, radium, selenium, and other heavy metals, which have been linked to cancer, heart and thyroid disease, reproductive failure, and neurological harm. Despite the federal 2015 Coal Ash Rule, widespread industry violation of the rule is causing significant groundwater contamination across the country. Last year, EPA

acknowledged industry's widespread non-compliance and made enforcement of federal coal ash safeguards an EPA priority as part of the National Enforcement and Compliance Initiative. Do you agree that hazardous pollutant levels in coal ash pose a danger to the public?

Response: I understand that EPA regulates coal combustion residuals as solid waste under subtitle D of the Resource Conservation and Recovery Act, which governs non-hazardous solid waste. I am aware that coal combustion residuals contain constituents such as heavy metals that may pose risks to human health and the environment in certain quantities and circumstances.

- a. If yes, do you agree that exposure to coal ash, including through its use as fill, should be reduced to a maximum possible extent?

Response: I will protect communities facing groundwater contamination in a manner consistent with EPA's statutory authorities from Congress. I am aware that EPA's solid waste regulations under subtitle D of the Resource Conservation and Recovery Act governing coal combustion residuals, first promulgated in the Obama Administration and revised during the First Term of the Trump Administration and again during the Biden Administration, continue to exclude from their scope the beneficial use of coal combustion residuals, so long as that beneficial use meets certain criteria in the regulations. I understand there are numerous environmental benefits from beneficial use of coal combustion residuals, and those should be considered when assessing the overall regulatory approach to coal combustion residuals.

- b. Will you ensure utilities comply with federal rule requirements to safely manage and dispose of coal ash?

Response: I commit to following the law.

- c. Will you ensure that regional offices have the resources to inspect and enforce the Coal Ash Rule to ensure clean water and healthy communities?

Response: While the Agency's budget is ultimately for Congress to determine, I understand that these are important issues and I commit to working with Congress, EPA's regional offices, and our State and Tribal partners to address them.

- d. Will you commit to using existing EPA authority to gather data on communities where coal ash has been used as fill for construction and landscaping projects, as well as protect further communities from exposure to coal ash fill?

Response: I am aware that EPA's solid waste regulations under subtitle D of the Resource Conservation and Recovery Act governing coal combustion residuals include a number of reporting and data collection obligations. I look forward to being briefed by EPA's career professionals on this issue.

9. Given that 40 percent of all school age children today have one or more chronic health conditions, and that asthma is still the leading cause of absenteeism due to illness, would you as Administrator support and help expand EPA's Indoor Air in Schools program?

Response: I cannot prejudge any policy decision. If confirmed, I look forward to working with the talented career staff at EPA who are dedicated to the agency's mission to protect human

health and the environment.

10. Given that school facilities are often large, complex structures with layers of operating systems (roofing, plumbing, heating, cooling, building materials), rural-remote schools and those in disadvantaged communities can find it difficult to address contamination. Will you support EPA continuing to provide grants and technical assistance on remediation and removal of toxic substances in schools?

Response: As a father, the issue of a safe school environment is particularly close to my heart. While I cannot commit to outcomes prior to confirmation, please rest assured I look forward, if confirmed, to being briefed on toxic substances in American schools and finding solutions for remediation.

11. Water quality projects needed to meet goals of the Clean Water Act will cost an estimated \$630.1 billion nationwide over the next 20 years, according to the most recent Clean Watersheds Needs Survey. What can EPA do to close this gap?

Response: While funding decisions are the responsibility of Congress, if confirmed, I commit to carrying out EPA's water quality programs as authorized by Congress in a manner consistent with the law and in conjunction with EPA's State, Tribal, and local government partners.

12. This past April, the EPA released its updated guidance on PFAS destruction and disposal. Can you commit that any disposal or destruction method deemed acceptable by the EPA will be verified through real-world data as effective and have continuous monitoring to ensure public safety?

Response: I appreciate the importance of this issue and look forward to being briefed on PFAS destruction and disposal by EPA's career professionals.

13. I appreciate your commitment to providing clean water for Americans. As EPA Administrator, how would you prioritize efforts to address lead contamination in drinking water, particularly in disadvantaged and overburdened communities?

Response: I commit to working on this important issue in a manner consistent with EPA's statutory authority under the Safe Drinking Water Act.

- a. What specific steps would you take to ensure municipalities have the resources they need to comply with federal standards and protect public health?

Response: I commit to working on this important issue in a manner consistent with EPA's statutory authority under the Safe Drinking Water Act. I am aware that Congress has established various programs that EPA administers to provide support for water infrastructure projects to States, Tribes, and local governments, including the Water Infrastructure Improvements for the Nation Act grant programs and Drinking Water State Revolving Fund. If confirmed, I commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

14. Will you commit to preserving EPA's Scientific Integrity Policy?

Response: I cannot prejudge the outcome of any particular policy review.

15. For infrastructure projects that are funded through federal financial assistance, the Build America, Buy America Act (BABA) requires that iron, steel, construction materials, and manufactured products produced in the United States. The EPA has made progress on the implementation of this requirement, as detailed in its 2024 Investing in America report. Do you support BABA requirements?

Response: I commit to following the law.

a. Will you commit to helping EPA build its internal capacity to implement BABA requirements through internal policies and procedures?

Response: I commit to following the law.

16. More than 98 percent of Safer Choice-certified products are either headquartered in the United States or have a manufacturing site in the United States, and the Fiscal Year 2025 National Defense Authorization Act (P. L. 118-159) included a requirement to purchase cleaning products identified by the Safer Choice program or through an equivalent certification. Do you agree that the Safer Choice program provides value to both American companies and for consumer protection?

Response: I cannot prejudge any decisions on this issue. If confirmed, I will confer with the talented EPA career staff to ensure that any decision is based on the Agency's mission to protect human health and the environment.

17. Will you commit to fully continuing to implement the awarded Clean School Bus program grants and rebates?

Response: I commit to following the law. I cannot prejudge the outcome of any particular policy review.

18. EPA workers are essential to carrying out the mission of the agency. Will you honor collective bargaining agreements currently in place with EPA Unions?

Response: If confirmed, I will follow applicable legal requirements regarding EPA's employee unions.

a. Will you ensure merit-based hiring and promotions?

Response: If confirmed, I will follow applicable legal requirements regarding EPA's employee unions. I cannot prejudge the outcome of any particular employment decision that may come before me.

b. Do you agree to continue a robust Labor Management Forum?

Response: If confirmed, I will follow applicable legal requirements regarding EPA's employee unions. Additionally, I believe it is important for management and labor unions to have open dialogue.

Senator Kelly:

1. The State of Arizona has been collaborating with EPA, local governments, and universities across the state on the Ground Level Ozone Research project to identify ozone precursors both within and outside the Maricopa County region that are impacting ozone levels. Will you continue the research and support ozone studies and scientific discussions focused on the Maricopa County ozone nonattainment area?

Response: If confirmed, I will work with you and your staff on issues related to Maricopa County's ozone nonattainment area.

- a. What additional research will the EPA be conducting?

Response: Before making any commitments on additional research, I would need to meet with EPA staff to understand what potential gaps exist and how best to utilize taxpayer funds consistent with the authorities established by Congress.

- b. Will the EPA investigate the atmospheric chemical factors contributing to why reductions in anthropogenic ozone precursor emissions over the past seven years have not resulted in lower ozone concentrations in nonattainment areas across the west?

Response: Better understanding causes of ground-level ozone and mitigation techniques that improve air quality are important and I commit, if confirmed, to working with you on these issues.

2. Mr. Zeldin, as we discussed, Arizona needs support to ensure air emissions from Mexico are accounted for in our attainment planning process. Do you have a view on how the Agency can update its policies regarding the Clean Air Act's Section 179(b) exemption for international emissions?

Response: It's important to ensure that American communities are not penalized for pollution originating in other countries that they have no ability to control. With this principle in mind, EPA can articulate a clear standard for states to make international emission demonstrations to support state plan approvals and avoid unfair imposition of sanctions and penalties.

3. Mr. Zeldin, as we discussed, wildfire smoke is posing challenges to air quality monitoring throughout the western United States. How you would streamline the process for non-attainment areas to have exceptional events like wildfires properly considered in attainment status determinations?

Response: While I cannot prejudge the outcome of any particular attainment status determination, I agree that it is important for EPA to give due consideration to exceptional events like wildfires in a manner consistent with the Clean Air Act.

4. Mr. Zeldin, there are over 15,000 abandoned uranium mines (AUMs) across the Western United States, with 75% located on federal and tribal lands. According to U.S. EPA, AUMs pose an enormous environmental threat and "[p]otential health effects include lung cancer from inhalation of radioactive particles, as well as bone cancer and impaired kidney function from exposure to radionuclides in drinking water." In December 2023, the U.S. EPA issued its Final High-Pressure Slurry Ablation (HPSA) Treatability Study Report approving HPSA technology as "a viable technology for treatment of AUM waste." U.S.

EPA concluded that HPSA achieved “up to a 98 percent reduction in the concentration of uranium and up to a 93.5 percent reduction in the concentration of Ra 226 in the coarse fraction.” It furthermore concluded that HPSA technology reduced leachability by up to 93 percent, original waste volume by up to 83 percent, and clean-up costs by up to 90 percent. Over the past year, U.S. EPA has been working closely with the Navajo Nation and the developer of the HPSA technology to develop a Phase 2 demonstration project at AUM sites on Navajo Nation lands. The Phase 2 demonstration project will further prove HPSA at commercial scale and is expected to be supported by funds from the Navajo Nation as well as funds from a Trust Fund previously established for the clean-up of AUMs pursuant to a legal settlement between the U.S. Government and the Navajo Nation. Will you commit to continuing to advance the U.S. EPA’s partnership with the Navajo Nation and the developer of HPSA to further prove this promising technology’s application to AUM clean-ups in preparation for full deployment?

Response: I acknowledge the importance of EPA partnering with Tribal governments to achieve positive environmental outcomes. While I cannot prejudge any particular policy outcome, if confirmed, I commit to working with you and stakeholders on this issue.

- a. Will you ensure ongoing negotiations of the U.S. EPA with the Navajo Nation, the developer of HPSA, the Trust Fund previously established for the clean-up of AUMs, and any other related parties regarding a HPSA Phase 2 demonstration project are able to continue when the Trump Administration takes office?

Response: I cannot prejudge any particular policy outcome. If confirmed, I commit to working with you and stakeholders on this issue.

5. For almost a century, Federal and state Miller Acts have provided protections for workers, subcontractors, and taxpayers against loss by requiring contractors to utilize payment and performance protections for the construction of public infrastructure projects. These protections help ensure projects are delivered on time and on budget, protect taxpayer revenue, and also provide meaningful safeguards for subcontractors, workers, suppliers by ensuring compensation in the event a lead contractor for an infrastructure project is unable to deliver on their obligations. However, application of the Federal and state Miller acts is not always clear on newer forms of project procurements, such as public private partnerships (P3s). Sen. Cramer and I introduced legislation last Congress, S. 2928, the Water Infrastructure Subcontractor and Taxpayer Protection Act, to address this ambiguity and ensure these commonsense protections are applied appropriately, regardless of project procurement. Would you commit to working with us as we continue to address this policy loophole?”

Response: If confirmed, I look forward to learning more about the particulars of this issue and engaging you and Senator Cramer, as appropriate.

6. One of the legacy projects my predecessor in the United States Senate, John McCain, championed in Arizona was an initiative called Rio Reimagined, which seeks to support economic development along the banks of the Salt River in Phoenix and surrounding communities. In 2020, EPA included the Rio Reimagined project within an EPA program called the Urban Waters Federal Partnership. This program seeks to support economic development alongside waterways in urban areas by facilitating brownfield and watershed cleanups along waterways. Mr. Zeldin, do you agree that EPA has a role to

play in supporting economic development through projects like the Rio Reimagined project?

Response: If confirmed, I look forward to being briefed by EPA's career professionals on the details of EPA's Urban Waters Federal Partnership, and to carry out the program in a manner consistent with law.

- a. Will you provide my team with feedback and technical assistance on bipartisan legislation we've introduced in prior years, called the Urban Waters Federal Partnership Act (S. 702)?

Response: Yes, I commit to working with you on this issue and to providing technical assistance from EPA as-needed.

7. Waters of the United States (WOTUS) is a term used in the Clean Water Act to identify which waters must comply with federal clean water standards. The Clean Water Act grants the Environmental Protection Agency and the United States Army Corps of Engineers the authority to define "waters of the United States" via regulations. The definition of "waters of the United States" has seen many legal challenges, leading to different definitions over the years. Most recently, the Supreme Court ruled that the Clean Water Act extends only to wetlands that have a continuous surface connection with "waters of the United States." The ruling limits the jurisdiction of EPA to regulate waters under the Clean Water Act and will require the agencies to develop a new definition of WOTUS. Given the ongoing legal and regulatory debates surrounding the definition of Waters of the United States, how do you plan to establish a clear and consistent framework that balances environmental protection with the interests of landowners and industries?

Response: As I mentioned during my confirmation hearing, it is critical that Americans have a clear understanding on which waters are subject to federal jurisdiction under the Clean Water Act. If confirmed, I commit to working with EPA's talented career professionals and the United States Army Corps of Engineers to provide needed clarity.

- a. What steps will you take to ensure that the classification of WOTUS reflects the latest scientific understanding of aquatic ecosystems and their connectivity?

Response: As I mentioned during my confirmation hearing, it is critical that Americans have a clear understanding on which waters are subject to federal jurisdiction under the Clean Water Act. If confirmed as EPA Administrator, I commit to working with EPA's talented career professionals and the United States Army Corps of Engineers to provide needed clarity.

8. States receive three core categorical grants from the federal government that support state implementation of key federal programs: air, water, and hazardous waste. Relatively stagnant funding combined with increased regulatory complexity, emerging issues, and state responsibility, compounded by significant growth in inflation, has eroded the actual level of support these programs receive and increases strain on state program budgets. Arizona and other states need increased funding to each of the three categorical grant programs to successfully carry out our responsibilities under federal law and protect public health. How do you plan to ensure that EPA is providing states with adequate funding support to implement delegated and primacy programs?

Response: While funding level appropriations are the responsibility of Congress, if confirmed, I commit to working with our State and Tribal partners to provide resources, information, and technical support on issues within EPA's jurisdiction.

- a. Do you anticipate any changes to the IIJA or IRA grant programs under the incoming administration?

Response: It would be inappropriate for me to prejudge the outcome of any action that EPA may take.

9. Water infrastructure is a foundational element for the economic development of communities, yet it is an area where rural and Tribal communities in Arizona and across the country have been left behind in terms of investment. This committee, the full Congress, and the EPA accomplished a lot in this area in the Bipartisan Infrastructure Law, but much more must be done. Specifically, disadvantaged communities benefit from the availability of technical assistance resources, and flexibilities being built into how funding can be used. What will EPA do under your leadership to address these challenges? Can you commit to working with the committee to ensure we're providing flexibilities and technical assistance resources that rural and Tribal communities need to improve their water infrastructure?

Response: I understand the importance of these issues to you and your constituents, and I look forward to working with the Committee on these issues if confirmed.

10. Phoenix saw a record breaking 143 days over 100 degrees Fahrenheit this summer. That's dangerous for senior and vulnerable. In your view, what is EPA's role in tackling extreme heat?

Response: I am aware that EPA has historically provided resources and information to people confronting extreme heat, in conjunction with State, Tribal, and local governments and other federal agencies including the Occupational Safety and Health Administration and the Centers for Disease Control and Prevention.

11. Federal clean energy investments from the IIJA and the IRA have spurred growth in clean manufacturing and affordable renewable energy, creating hundreds of thousands of new jobs, lowering energy costs for Americans, and cutting climate pollution. The suspension of investments like these would not only cost good paying jobs in Arizona, but potentially reverse the progress made in reducing emissions. As you review programs funded by the IRA and IIJA, will you commit to evaluate the impact to good paying manufacturing jobs, in states like Arizona, before making any changes to program implementation?

Response: Yes.

12. The Pesticide Registration Improvement Act (PRIA) was enacted to provide predictable timelines for pesticide registrants and additional funding for EPA's Office of Pesticide Programs (OPP). PRIA plays a crucial role in helping farmers access safe and effective tools by reducing delays in bringing innovative pesticide products to market while maintaining rigorous safety standards. Currently, about 62% of all pending pesticide registration actions under PRIA are late. In instances where OPP has missed PRIA

deadlines, OPP has not been clearly communicating the reasons why additional time is needed and the number of additional days needed to complete the PRIA action, as required under the statute. Other countries with equally robust regulatory reviews are approving new pesticide technologies months or years faster than EPA, leaving American farmers and applicators with fewer tools to combat disease and pest threats than those abroad. This puts the American farmer at a disadvantage and hinders American innovation. Given the importance of timely pesticide registrations for farmers and agricultural productivity, how will you, if confirmed as EPA Administrator, help ensure that the Office of Pesticide Programs adheres to PRIA timelines and allocates the necessary resources to meet the needs of farmers?

Response: If confirmed, I will work with EPA's Office of Pesticide Programs to improve its registration procedures by identifying areas for process improvements and optimization and work toward more timely pesticide registrations.

a. Additionally, what steps will you take to enhance collaboration with agricultural stakeholders and improve the efficiency of the pesticide registration process?

Response: I cannot prejudge the steps to improve the efficiency of the registration process. If confirmed, I commit to work with EPA career staff to identify areas for process improvement and process optimization.

13. The U.S. is a global leader on sound science and risk-based regulatory approaches for agricultural pesticides. However, over the past several years the EPA has not been attending international forums, creating space for a hazard-based regulatory approach to be promoted globally. It is critical that the U.S. is not only present, but that EPA's leaders and experts actively participate in dialogues to provide technical expertise and support U.S. agriculture. If confirmed, do you commit that the EPA will once again participate and lead on the global stage to promote sound science and risk-based regulatory approaches?

Response: If confirmed, I commit to conferring with career EPA staff to ensure that the appropriate staff participate in global meetings and dialogues, in conjunction with the State Department as appropriate.

14. Mr. Zeldin, as we discussed, uranium mine cleanup on the Navajo Nation is a priority for me. Will you support applying the latest technology to promote better remediation results at CERCLA clean-up sites?

Response: Generally speaking, it is important to consider available technological developments that have been adequately demonstrated when considering potential remedies to address releases at contaminated sites. While I cannot comment on any particular cleanup effort, I commit to working with you on this priority for you and your constituents.

a. Do you believe that CERCLA remediation efforts at abandoned uranium mines in the Navajo Nation should favor remedies that recover waste uranium and critical minerals while simultaneously reducing groundwater contamination by eliminating the leachability of the toxic materials?

Response: I am aware that EPA considers and balances a host of factors, consistent with the

Comprehensive Environmental Response, Compensation, and Liability Act and EPA's implementing regulations, when determining the appropriate remedy for a contaminated site. While I cannot comment on any particular cleanup effort, I commit to working with you on this priority for you and your constituents.

- b. High-Pressure Slurry Ablation is such a remedy, and a study financed by USEPA found it to be a very promising technology for CERCLA remediation within the Navajo Nation and at other locations. However, Region 9 of USEPA has not funded any further studies. Would you support additional studies and pilot projects?

Response: While funding decisions are the responsibility of Congress, if confirmed, I look forward to working with EPA's career professionals in Region 9 on these issues.

- c. Do you support the USEPA's National Strategy to Expand Superfund Optimization Practices from Site Assessment to Site Completion, and will you apply that policy to sites on the Navajo Nation?

Response: It would be inappropriate for me to prejudge any changes to this program before having the opportunity to consider the issues and confer with EPA's career professionals on this topic, once confirmed.

- d. How will USEPA move forward engaging and collaborating with tribal leaders and tribal governments to ensure full alignment and support for on-going Superfund cleanup efforts, recognizing the unique sovereignty and cultural needs of Tribal Communities, particularly Navajo Nation?

Response: While I cannot comment on any particular cleanup effort, I commit to working with you on this priority for you and your constituents, as well as working with the appropriate State, Tribal, and local government officials in a manner consistent with EPA's regulations and policies, including EPA's policy on tribal consultation.

- e. How will USEPA secure long-term support and funding for the Navajo National Superfund Program from the USEPA Superfund Tax? Specifically, how will USEPA guarantee funding from the Superfund Tax for the new Lukachukai Mountain Mineral District, the first National Priority List site on the Navajo Nation which was added to the NPL in March 2024?

Response: While it is premature to take positions on spending priorities before I have been confirmed and fully briefed on issues pertaining to the Agency, I look forward to being briefed on this issue.

Senator Padilla:

1. The California Conservation Corps provides young adults with paid opportunities to work on environmental conservation, natural resource management, and disaster response projects, equipping them with hands-on experience, education, and job training. Widely regarded as a successful model, the program offers pathways to careers in environmental and public service sectors while addressing critical challenges facing the state. Mr. Zeldin, if confirmed, how will the EPA work with and build on programs like the

California Conservation Corps to provide the next generation with opportunities to develop valuable skills and create job opportunities?

Response: If confirmed, I commit to carrying out the authorities that Congress has granted to EPA on this issue in a manner consistent with law.

2. In September, the EPA proposed to designate the former Exide Technologies site on the Superfund list, which puts the site on the path towards final designation and justice for the many Southeast Los Angeles communities who are suffering from lead and other contamination. Unfortunately, under the prior Trump Administration, the EPA proposed significant cuts to the EPA's budget overall, including to the Superfund program. We're not going to be able to move sites through the Superfund process and clear the backlog if we underfund this critical program. Mr. Zeldin, if confirmed, will you commit to working with me and Southeast Los Angeles communities affected by Exide's crimes to ensure that we get a proper clean-up?

Response: I am aware that, according to EPA, there are more than 1,100 Superfund sites currently on the National Priorities List, and 39 additional sites proposed for listing. While funding decisions are the responsibility of Congress, and while I cannot prejudge the outcome of any proposed Superfund site listing, I commit to working with you on priorities important to you and your constituents if confirmed.

- a. And, will you commit to requesting sufficient funds in future EPA budget requests for the Superfund program?

Response: While funding decisions are the responsibility of Congress, I commit to working with you on priorities important to you and your constituents if confirmed.

3. As we work to bring manufacturing back to the US, we must also commit to keeping American families safe from toxic chemicals used in everyday consumer products. Currently, there is insufficient scientific data for evaluating the health effects of all potentially toxic chemicals, but advances in high performance machine learning are promising. How would the use of supercomputing and computational toxicology assist the EPA with the assessment of new chemicals under the Toxic Substances Control Act and would such a program be helpful in bolstering the use of science in EPA's decision making?

Response: If confirmed, I will confer with the talented EPA career scientists and technology experts to consider this issue.

4. As the largest agricultural state in the nation, California grows more than 400 commodities, many of which are specialty crops that are not grown anywhere else in the country. EPA has significant responsibility for ensuring the safety and efficacy of pesticides, antimicrobials, and disinfectants for human health and the environment. Yet

years of declining budgets and staffing at EPA's Office of Pesticide Programs has delayed and prevented innovative crop protection products from reaching the market, many of which could reduce costs, improve yield, and are more sustainable than existing technologies. How will the EPA ensure OPP has adequate resources to fulfill its responsibilities under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the Pesticide Registration Improvement Act (PRIA)?

Response: I understand the important role EPA plays in administering this program. While funding decisions are the responsibility of Congress, I commit to carrying out the authorities that Congress has granted to EPA on this issue in a manner consistent with law.

5. Tribal access to water and sanitation is often unreliable. Native American households are 19 times more likely than white households to lack indoor pipes for running water and sanitation. In addition, these water systems are almost all small, rural, and understaffed. How will the EPA ensure that Tribal systems receive the support needed to address critical system upgrades, operations and maintenance, and workforce development shortfalls?

Response: I am aware that Congress has established various programs that EPA administers to provide support for water infrastructure projects to Tribes, including the Water Infrastructure Improvements for the Nation Act grant programs and Drinking Water State Revolving Fund that includes a tribal "set-aside." If confirmed, I commit to being a good steward of taxpayer dollars and ensuring that funds appropriated to EPA are spent in a manner consistent with the law.

6. The maritime industry has increasingly pushed and set decarbonization goals to address greenhouse gas pollution. For example, Maersk and Carnival have committed to decarbonizing their operations by 2040 and 2050, respectively. As the maritime industry continues to adopt the International Maritime Organization's greenhouse gas recommendations, what role will the EPA play in incentivizing maritime decarbonization efforts to address the needs of industry and the environment?

Response: I would have to confer with the technical experts at EPA on this issue. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

7. In 1972, the EPA banned the chemical DDT because of the risks it posed to human health, wildlife, and the environment. Before that happened, substantial amounts of DDT were dumped into the Pacific Ocean. These chemicals have been reported to make their way up the food chain – creating a toxic legacy that pollutes our precious ocean ecosystems and fisheries. How will the EPA address and work to create a long-term plan for remediation of this chemical disaster through its Superfund authority?

Response: I would have to confer with the technical experts at EPA on this issue. If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

8. Due to the ongoing wildfires in Los Angeles, the air quality in Southern California has

been drastically impacted, with several notices going out warning residents about the smoke, ash, and pollution in the air. If confirmed, will you commit to ensuring that the EPA continues to support the recovery in Los Angeles and continues to provide real-time information to Angelenos regarding the health impacts of the wildfires and subsequent destruction?

Response: We are all concerned about these fires and their impacts. I commit to using available means to urgently address them, consistent with the Agency's authority provided by Congress.

9. State and local regulators in my state have done everything they can to reduce toxic emissions for sources that they have jurisdiction over. What's left are the things that only the federal government can regulate, like the transportation sector. But I want to be clear that the answer to our non-attainment issues is not deregulate or lower the bar for attainment. That doesn't actually do anything to improve the air quality for my constituents. Instead, we need the federal government to actually step up and do its part. If confirmed, will you commit to using EPA's regulatory authority to actually improve the air quality for my constituents, and not just let polluters off the hook by lowering environmental and public health standards?

Response: Ensuring that areas are able to attain NAAQS standards should be a top priority for States, as they are responsible for establishing plans to meet those standards. Issues related to emissions that the state or area cannot control are ones faced by many states. If confirmed, I commit to using EPA's regulatory authority pertaining to the NAAQS in a manner consistent with the law. I also commit that EPA will work with our State and local government partners to provide technical assistance and other resources to assist with attainment efforts.

10. The Environmental Protection Agency's list of obligations and duties has been exponentially increasing as new industries, products, and processes arise as a result of American innovation. However, the EPA's budget and workforce have not seen a meaningful increase to keep pace with the demands of the Agency since 2010. What will you do, if confirmed, to ensure the agency is fully staffed and resourced to perform their duties to keep people and natural resources safe and clean?

Response: If confirmed, I will ensure that the Agency follows the law concerning expenditures of money appropriated by Congress, partnering with you to ensure that there is adequate staffing for the Agency's mission to protect human health and the environment.

11. EPA's Draft Insecticide Strategy aims to ensure pesticide impacts on listed species under the Endangered Species Act are lessened, if not neutralized. What is your plan to advance the Draft Strategy?

Response: I would have to confer with the technical experts at EPA on this issue. If confirmed, I look forward to working with the talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

12. Water quality projects needed to meet goals of the Clean Water Act will cost an estimated \$630.1 billion nationwide over the next 20 years, according to the most recent Clean Watersheds Needs Survey. What can EPA do to close this gap?

Response: While funding decisions are the responsibility of Congress, if confirmed, I commit to carrying out EPA's water quality programs as authorized by Congress in a manner consistent with the law and in conjunction with EPA's State, Tribal, and local government partners.

13. PFAS is a growing public concern and has direct linkages between source water protection and public health. The states with the highest level of PFAS include California, New Jersey, Michigan, Massachusetts, New Hampshire, North Carolina, Alabama, and Pennsylvania to name a few. Whether you live in a red or blue state, we're all affected by PFAS pollution. How will EPA meet this challenge to keep harmful PFAS out of source water to protect communities and help utilities and treatment plants deal with this emerging threat?

Response: As I mentioned during my confirmation hearing, when I represented New York's First District in Congress, I was a member of the PFAS Task Force and voted for the PFAS Action Act. I also saw PFAS issues firsthand in Suffolk County, New York. If confirmed, I commit to carrying out the authorities that Congress has granted to EPA on this issue in a manner consistent with law.

14. Given the increase in cybersecurity attacks on public water utilities in recent years, how will you as Administrator, if confirmed, support improving the water and wastewater sectors cybersecurity resiliency against threats from malicious actors?

Response: I am aware that EPA has stated that cyber attacks against public water systems are increasing. If confirmed, I commit to carrying out the authorities that Congress has granted to EPA on this issue in a manner consistent with law.

Senator Schiff:

1. I asked you a number of questions at your confirmation hearing on January 16, 2025. I was grateful for your willingness to answer my questions and for the number of commitments you provided, listed below, to ensure clean air, water, and more for all Californians. If confirmed, will you agree to meet with me in March to discuss the issues I raised in further detail as well as your progress on the commitments made during your public nomination hearing?

Response: If confirmed, I commit to working with you and your office on issues within EPA's authority important to you and your constituents, and commit to working with your office to schedule a meeting at a mutually convenient time.

- a. As you know, the horrific fires in Los Angeles have displaced thousands of

people and have resulted in the loss of more than two dozen lives, destroying Californians' homes, livelihoods, and so much more. It's more important than ever that California has the full support of the federal government to recover and respond. I appreciated our discussion at the hearing about your work as State Senator in New York as a member of the State Senate Bipartisan Task Force on Hurricane Sandy recovery and EPA's close work with federal agencies and the states of New Jersey and New York to assess damage and respond to environmental concerns after the hurricane. Furthermore, I appreciate your commitment to advocating for the same strong disaster response and recovery assistance from the EPA to California after the Los Angeles fires as EPA provided to your constituency in Long Island after Hurricane Sandy.

- b. I appreciate your commitment at the hearing to doing everything in your power to ensure California receives EPA assistance after the Los Angeles fires to ensure that local water supplies are tested, treated, and restored to safe drinking water standards, just as EPA stepped in to do after the horrific Maui fires.
- c. I further appreciate your comments about working to ensure that Americans affected by disasters receive relief regardless of whether they are in a red state or a blue state.
- d. As I discussed with you privately and during the hearing, the Tijuana River pollution crisis has brought immense industrial waste and raw sewage over the border from Mexico into California, posing serious environmental and public health challenges to San Diego and Imperial County. I appreciated your commitment to reviewing the EPA's Border Water Infrastructure program, specifically with the needs of California and the Tijuana River pollution crisis in mind. Furthermore, I was grateful to hear your commitment to reviewing the EPA's January 7, 2025 decision to deny a request to investigate the Tijuana River Valley for a potential Superfund designation and consider whether a different judgment should be reached, should you be confirmed.
- e. As I raised during the hearing, the average home in South Los Angeles is over 70 years old and more likely to contain corroded lead plumbing than other regions in the state. Additionally, out of the 58 counties in the state of California, Fresno County has one of the largest numbers of children with high levels of lead in their blood. In October, the EPA announced new final regulations requiring drinking water systems across the country to identify and replace all lead pipes within 10 years. I appreciated your commitment at the hearing to ensure the EPA continues its work to provide local communities like those in Fresno and in South Los Angeles with access to safe drinking water, particularly in underserved communities.
- f. As you know, the EPA administers 12 geographic programs, longstanding geographic specific programs that help protect local ecosystems and communities from climate change, habit, habitat loss, and pollution. Their efforts to add the Salton Sea in California, which is an ecological disaster, potentially paired with the Great Salt Lake, which has similar ecological and health issues, as part of EPA geographic program designation. If successful, such a designation would bring revenues that could be used to mitigate an environmental hazard in a very

neglected part of the state. I appreciated your commitment at the hearing to reviewing the ecological hazards at the Salton Sea and consider adding the Salton Sea as one of these geographic programs.

g. As I shared at the hearing, residents of Fresno in the San Joaquin Valley had just 10 days of healthy air last summer, a stark reminder of the urgency of California's air pollution issues. The EPA has long supported California's efforts to address this crisis through clean vehicle programs, regulatory actions, and strong enforcement. I was grateful for your comments to continue support for investments like those the EPA has already made in the San Joaquin Valley to improve air quality in California.

2. Will you ensure that the historically underserved communities in Altadena and across Los Angeles County receive the resources and assistance they need in recovering from the environmental damage caused by the LA fires from the EPA?

Response: We are all concerned about these fires and their impacts. If confirmed, I commit to using available means to urgently address them, consistent with the Agency's authority provided by Congress.

3. The Central Coast is a geographically and demographically diverse region of California where research has found that possible PFAS contamination from pesticides disproportionately affects communities of color. California's Central Coast Regional Water Quality Control Board approved a Voluntary Cleanup and Abatement Agreement with San Luis Obispo County and CAL FIRE to address PFAS contamination at the airport resulting from the use of firefighting equipment during training and operational activities. Will you commit to working with members of the California Congressional Delegation to ensure that airports seeking assistance under the FAA Reauthorization Act of 2024 are supported by the EPA?

Response: We are all concerned about these fires and their impacts. If confirmed, I commit to using available means to urgently address them, consistent with the Agency's authority provided by Congress.

4. The EPA's Clean School Bus Program is a national initiative that is helping communities reduce emissions from older diesel school buses. The program provides funding to replace older diesel-fueled buses with cleaner, zero-emission models and aims to improve air quality and protect the health of students and surrounding communities. California has been a leader in electric school bus manufacturing. If confirmed as EPA Administrator, do you plan to continue the EPA Clean School Bus Program?

Response: If confirmed, I will work to carry out EPA programs authorized by Congress in a manner consistent with law.

Senator Blunt Rochester:

1. In 2020, you voted in favor of an inadequate soot pollution standard that was neither backed by scientific evidence nor recommended by the agency itself. Will you commit to protecting, not weakening, the soot pollution standard and other critical environmental standards under the Clean Air Act?

Response: I will follow the law and make sure the EPA is fulfilling Congressional obligations under the Clean Air Act.

2. Water affordability keeps American families up at night. The EPA recently found that over 19 million households struggle to pay their monthly water bill. This is unacceptable.

The Bipartisan Infrastructure Law laid the groundwork for the EPA to play a role in solving this problem by authorizing for them to administer a much-needed assistance pilot program that I helped author.

How will your EPA address water affordability and ensure all Americans have access to this basic resource?

Response: Too many American families are facing numerous economic hardships. If confirmed as Administrator, I will address the issue of water access and affordability using the authorities provided to the Agency by Congress, in partnership with States, Tribes, and local governments.

- a. Will you commit to working with my office and the committee to fund this pilot program to help address the 19 million households in need of support lowering their water bills?

Response: While funding decisions are the responsibility of Congress, I commit to working with your office on drinking water issues.

3. As you may know, roughly a third of the workforce in the water sector is within 5-10 years of retirement and there are considerable challenges associated with recruitment, retention, and training of plumbers, water treatment plant operators, and utility operators. Do you believe that this is an issue that should be prioritized by the EPA?

Response: Water workforce resilience is an important issue facing our nation. I am aware that, in 2020, EPA under the Trump Administration issued a Water Sector Workforce Initiative to help address the challenges of recruitment, training, and retention of water sector workforce employees. If confirmed, I commit to addressing issues facing the water sector in a manner consistent with legal authorities provided to the Agency by Congress.

- a. Will you support allocating funding to address this major issue?

Response: While funding decisions are the responsibility of Congress, I commit to working with your office on drinking water issues.

4. Programs such as the Clean Ports Program, the Climate Pollution Reduction Grants, and the Greenhouse Gas Reduction Fund have helped both red and blue states, including

Georgia, Florida, and my home state of Delaware. However, these programs are rumored to be at risk under your potential leadership of the EPA.

Mr. Zeldin, how will your EPA ensure that these successful programs continue to be implemented to improve these states' energy infrastructure and technology?

Response: If confirmed, I will work to carry out programs established and funded by Congress.

5. Mr. Zeldin, you've been a long-time and vocal supporter of EPA's National Estuaries Program. You co-founded the National Estuary Caucus, cosponsored a resolution to designate a National Estuaries Week, and supported reauthorization of the National Estuary Program. Will you commit to supporting the National Estuaries Program at EPA and ensuring it does not face any funding cuts?

Response: The National Estuaries Program is a non-regulatory program established by Congress under section 320 of the Clean Water Act, designed to improve the waters, habitats and living resources of 28 estuaries across the country. If confirmed as EPA Administrator, I look forward to working closely with EPA's career professionals on administering this program and others that affect our nation's estuaries in a manner consistent with the law.

6. Mr. Zeldin, small refineries in Delaware, New Jersey, and Pennsylvania have raised questions on the feasibility and effectiveness of the Renewable Fuel Standard. If confirmed, will you commit to working with me to address concerns we have. If you are confirmed, can you commit to working with me to help ensure small refineries are able to meet the requirements of the program in a way that does not put union refining jobs at risk?

Response: If confirmed, I will work with you to ensure that the Renewable Fuel Standard program is carried out consistently with the law that Congress has enacted to govern it.

Senator Alsobrooks:

1. When you and I met, we spoke about your efforts in Congress involving the National Flood Insurance Program—a program that is important in your home state and in mine. On a related topic, the cost of homeowners insurance is on the rise. Since 2018, homeowners insurance non-renewals have increased by 30 percent in Maryland. Major homeowners insurance providers are dropping hundreds of thousands of policyholders in response to frequent extreme weather events caused by climate change. Do you agree that the effects of climate change are driving economic hardship for American families, such as unaffordable insurance premiums?

Response: Too many American families are facing numerous economic concerns. Coming from a coastal state myself, I've seen the challenges and disappointments this issue causes. If confirmed, I will work with the tools Congress has given me to protect Americans.

- a. If yes, do you believe that the Environmental Protection Agency (EPA) has an obligation to address the root causes of climate change, including reducing greenhouse gas emissions?

Response: If confirmed, I commit to following the law in every respect.

2. During your hearing, I asked if you supported the unofficial Department of Government Efficiency's proposal to lay off 75 percent of government workers. Specifically, I asked if you supported firing 75 percent of EPA employees. You said that you were unaware of EPA layoffs during the last Trump administration and that you were unaware of plans to fire EPA employees during this term. Would you please clarify whether you would support a significant reduction in EPA's workforce if confirmed?

Response: If confirmed, I look forward to working with the very talented career staff at EPA who are dedicated to the agency's mission to protect human health and the environment.

3. During your hearing, I asked whether you supported Project 2025's proposal to move the EPA headquarters out of Washington, D.C. You stated that you were unaware of plans to move the EPA headquarters. Would you please clarify whether you would support or oppose such a move if confirmed?

Response: As I stated in the hearing, "no one has expressed to me in any setting since I was announced as nominee or before that, of any plans with regard to moving the EPA headquarters out of D.C."

Senator CAPITO. Thank you.

We are now ready to begin with the questioning portion for our witness. Senator Whitehouse have agreed to have two rounds of 5 minutes for questioning, so let us try to keep our first questions within the 5-minutes, in respect for everybody's time.

To begin, this committee has three standing yes-or-no questions that it asks all the nominees who appear before the committee, so I want to ask you these three questions.

Do you agree, if confirmed, to appear before this committee or designated members of this committee and other appropriate committees of this Congress to provide information subject to appropriate and necessary security protections with respect to your responsibilities?

Mr. ZELDIN. Yes.

Senator CAPITO. Do you agree to ensure that testimony, briefings, documents, and electronic and other forms of communications of information are provided to this committee and its staff and other appropriate committees in a timely manner?

Mr. ZELDIN. Yes.

Senator CAPITO. Thank you. Finally, do you know of any matters which you may or may not have disclosed that may place you in a conflict of interest if you are confirmed?

Mr. ZELDIN. No.

Senator CAPITO. Thank you. I will begin questioning, and then I will go to the Ranking Member.

In my opening statement, I talked about reliability issues and affordability issues, as we face the future, here. During the last 4 years, the EPA issued a number of rules and numbers of rules, including the Clean Power Plan 2.0, which was intentionally designed to impose massive new costs on reliable coal-fired and natural gas plants in a deliberate effort to shut these plants down.

Unsurprisingly, over this same period of time, the cost of energy skyrocketed 23 percent over the last 4 years. Now, our Nation's electric reliability experts, the North American Electric Reliability Corporation, forecasts over half of the United States could face potential electrical shortages and blackouts in the next decade. This is a dire situation on the reliability. This demand is driven by our onshoring of our manufacturing and powering data centers and other things to win the artificial intelligence race.

Congressman Zeldin, as you oversee and implement the EPA's statutory obligations to protect public health and the environment, will you also ensure that the agency takes into account the electric reliability and energy affordability impacts on businesses and American families that need it to keep their lights on and to heat their homes?

Mr. ZELDIN. Yes, absolutely.

Senator CAPITO. What is your vision for fulfilling the EPA's statutory mission, particularly in the context of getting the agency re-oriented back to the basics of protecting communities from air, water, and chemical pollutions and cleaning up contaminated sites? What ideas do you have moving forward?

Mr. ZELDIN. Chairman, it is important that the EPA is honoring our obligations under the law, fulfilling the historic landmark laws that are one the books, like the Clean Air Act, the Clean Water

Act, the Safe Drinking Water Act. It is important that the EPA is accountable and transparent to all of you here on this committee.

It is important that we are working closely in collaboration with career staff at the EPA and working closely with other agencies where there is overlapping jurisdiction. To make sure that we are following our new obligations under the law as Congress enacts new laws moving forward. To make sure that we are abiding by the Administrative Procedures Act, that I, as Administrator, I am not pre-judging outcomes, that I am making sure that our actions are durable, that they are able to withstand scrutiny, and at the end of the day, I am able to sit before you at further hearings and be able to account for my actions as Administrator and our actions as an agency.

I look forward to working with all of you in order to make sure that Congress's intent is filled, that we also honor the Loper Bright Decision that was just issued by the Supreme Court to make sure that it is, in fact, Congress's intent that is being implemented, and it is not us as an agency filling in any gaps however we might see fit. It requires a close collaboration not just internally within the agency, but with each and every one of you, as well.

Senator CAPITO. Thank you. I should have welcomed your wife, Diana, and Mikayla, and your mother, Meryl. We miss Ariana, but I hope she is watching it from afar.

I want to talk about PFAS. West Virginians have had firsthand experience with PFAS contamination and pollution. Everybody does, but we have had a little more, I think we had a little bit earlier, discovered earlier. I want to continue. We tried, last session, to get some leading legislative efforts to try to protect essential service providers and American taxpayers from costly litigation and liability. It is a very complicated issue, as you know, but it speaks to one of the core missions of the EPA, which is safe drinking water and clean water.

I understand that your New York district has actually experienced the negative effects of PFAS pollution. If confirmed, how do you plan to address the growing challenge of PFAS pollution through the EPA's existing authorities?

Mr. ZELDIN. Chairman, when I was in the House, I was a member of the PFAS Task Force. I also voted for the PFAS Action Act. EPA has an important responsibility to make sure that our obligations are implemented correctly. That is something that, through our enforcement and compliance, we have to ensure that we are moving the needle all across this entire Country. There are cleanup projects large and small across America, where many Americans have been waiting decades, generations, for that leadership and that action, so working with all of you to deal with these issues in your home State is something that will be top priority of mine.

Senator CAPITO. Thank you. I will turn it over to the Ranking Member.

Senator WHITEHOUSE. Thanks. Before I get to my questions, if you would be kind enough to entertain a unanimous consent request to put certain documents into the record.

Senator CAPITO. Yes.

Senator WHITEHOUSE. I will not put this beast into the record. I will spare everybody that, but I will be circulating it to your of-

fices. I would like to put into the record the cover article from the Economist Magazine from this April warning of the next housing disaster from the climate risk to insurance to mortgages to property values cascade.

Senator CAPITO. Without objection.

[The referenced information follows:]



The next housing disaster

Global warming is coming for your house. Who will foot the bill?

THINK ABOUT the places vulnerable to climate change, and you might picture rice paddies in Bangladesh or low-lying islands in the Pacific. But another, more surprising answer ought to be your own house. About a tenth of the world's residential property by value is under threat from global warming—including many houses that are nowhere near the coast. From tornadoes battering midwestern American suburbs to tennis-ball-size hailstones smashing the roofs of Italian villas, the severe weather brought about by greenhouse-gas emissions is shaking the foundations of the world's most important asset class.

The potential costs stem from policies designed to reduce the emissions of houses as well as from climate-related damage. They are enormous. By one estimate, climate change and the fight against it could wipe out 9% of the value of the world's housing by 2050—which amounts to \$25trn, not much less than America's annual GDP. It is a huge bill hanging over people's lives and the global financial system. And it looks destined to trigger an almighty fight over who should pay up.

Homeowners are one candidate. But if you look at property markets today, they do not seem to be bearing the costs. House prices show little sign of adjusting to climate risk. In Miami, the subject of much worrying about rising sea levels, they have increased by four-fifths this decade, much more than the American average. Moreover, because the impact of climate change is still uncertain, many owners may not have known how much of a risk they were taking when they bought their homes.

Yet if taxpayers cough up instead, they will bail out well-heeled owners and blunt helpful incentives to adapt to the looming threat. Apportioning the costs will be hard for governments, not least because they know voters care so much about the value of their homes. The bill has three parts: paying for repairs, investing in protection and modifying houses to limit climate change.

Insurers usually bear the costs of repairs after a storm destroys a roof or a fire guts a property. As the climate worsens and natural disasters become more frequent, home insurance is therefore getting more expensive. In places, it could become so dear as to cause house prices to fall: some experts warn of a "climate-insurance bubble" affecting a third of American homes. Governments must either tolerate the losses that imposes on homeowners or underwrite the risks themselves, as already happens in parts of wildfire-prone California and hurricane-prone Florida. The combined exposure of state-backed "insurers of last resort" in these two states has exploded from \$160bn in 2017 to \$633bn. Local politicians want to pass on the risk to the federal government, which in effect runs flood insurance today.

Physical damage might be forestalled by investing in protection in properties themselves or in infrastructure. Keeping houses habitable may call for air conditioning. Few Indian homes have it, even though the country is suffering worsening heatwaves. In the Netherlands a system of dykes, ditches and

pumps keeps the country dry; Tokyo has barriers to hold back floodwaters. Funding this investment is the second challenge. Should homeowners who had no idea they were at risk have to pay for, say, concrete underpinning for a subsiding house? Or is it right to protect them from such unexpected, and unevenly distributed, costs? Densely populated coastal cities, which are most in need of protection from floods, are often the crown jewels of their countries' economies and societies—just think of London, New York or Shanghai.

The last question is how to pay for domestic modifications that prevent further climate change. Houses account for 18% of global energy-related emissions. Many are likely to need heat pumps, which work best with underfloor heating or bigger radiators, and thick insulation. Unfortunately, retrofitting homes is expensive. Asking homeowners to pay up can lead to a backlash; last year Germany's ruling coalition tried to ban gas boilers, only to change course when voters objected to the costs. Italy followed an alternative approach, by offering extraordinarily generous, and badly designed, handouts to households who renovate. It has spent a staggering €219bn (\$238bn, or 10% of its GDP) on its "superbonus" scheme.

The full impact of climate change is still some way off. But the sooner policymakers can resolve these questions, the better. The evidence shows that house prices react to these risks only after disaster has struck, when it is too late for preventive investments. Inertia is therefore likely to lead to nasty surprises. Housing is too important an asset to be mispriced across the economy—not least because it is so vital to the financial system.

Governments will have to do their bit. Until the 18th century much of the Netherlands followed the principle that only nearby communities would maintain dykes—and the system was plagued by underinvestment and needless flooding as a result. Governments alone can solve such collective-action problems by building infrastructure, and must do so especially around high-productivity cities. Owners will need inducements to spend big sums retrofitting their homes to pollute less, which benefits everyone.

Wie het water deert

At the same time, however, policymakers must be careful not to subsidise folly by offering large implicit guarantees and explicit state-backed insurance schemes. These not only pose an unacceptable risk to taxpayers, but they also weaken the incentive for people to invest in making their properties more resilient. And by suppressing insurance premiums, they do nothing to discourage people from moving to areas that are already known to be high-risk today. The omens are not good, even though the stakes are so high. For decades governments have failed to disincentivise building on floodplains.

The \$25trn bill will pose problems around the world. But doing nothing today will only make tomorrow more painful. For both governments and homeowners, the worst response to the housing conundrum would be to ignore it. ■



Briefing Housing and climate change



Risk of subsidence

MIAMI

Homeowners face a \$25trn bill from global warming

THE RESIDENTS of northern Italy had never seen anything like the thunderstorm that mauled their region last summer. Hailstones as big as 19cm across pummeled Milan, Parma, Turin and Venice. Windows were broken, solar panels smashed, tiles cracked and cars dented. The episode cost the insurance industry \$4.8bn, making it the most expensive natural disaster in the world from July to September (the figures exclude America, which collates such data separately).

Yet insurance executives, although smarting, were not surprised. Climate change is making such incidents much more common. In the decade from 2000 to 2009 only three thunderstorms cost the industry more than \$1bn at current prices. From 2010 to 2019 there were ten. Since 2020 there have already been six. Such storms now account for more than a quarter of the costs to the insurance industry from natural disasters, according to Swiss Re, a reinsurance firm. In Europe, not

known for extreme weather, losses have topped \$5bn a year for the past three years.

Climate change is doing vast damage to property all around the world, and not always in the places or the ways that people imagine. Hurricanes, wildfires and floods are becoming more common and more severe—but so are more mundane banes. In London, for instance, the drying of the clay on which most of the city stands during summer heatwaves is causing unexpected subsidence, landing homeowners with big bills. A similar problem afflicts Amsterdam, where many older buildings are built on wooden piles inserted into the boggy soil in lieu of conventional foundations. Extended dry spells in summer are lowering the water table, drying out the piles and exposing them to the air. This allows the piles to rot, prompting the buildings above to sag. Unlucky homeowners can be saddled with bills of €100,000 (\$108,000) or more for remedial work. And on top of the expensive repairs climate change is

foisting on homeowners comes the likelihood that governments will oblige them to install low-carbon heating and cooling, or improve their homes' energy efficiency, adding yet more to their costs.

Money pit

The upshot is an enormous bill for property-owners. Estimates are necessarily vague, given the uncertainties not just of the climate but also of government policy. But MSCI, which compiles financial indices, thinks that over the next 25 years the costs of climate change, in terms both of damage to property and of investments to reduce emissions, may amount to almost a tenth of the value of the housing in institutional investors' portfolios. If the same holds true of housing in general, the world is facing roughly a \$25trn hit.

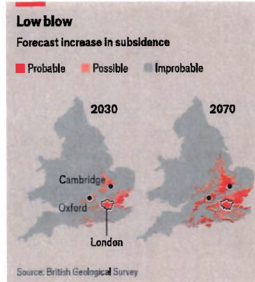
The impending bill is so huge, in fact, that it will have grim implications not just for personal prosperity, but also for the financial system. Property is the world's ▶▶

▶ most important asset class, accounting for an estimated two-thirds of global wealth. Homes are at the heart of many of the world's most important financial markets, with mortgages serving as collateral in money markets and shoring up the balance-sheets of banks. If the size of the risk suddenly sinks in, and borrowers and lenders alike realise the collateral underpinning so many transactions is not worth as much as they thought, a wave of re-pricing will reverberate through financial markets. Government finances, too, will be affected, as homeowners clamour for expensive bail-outs. Climate change, in short, could prompt the next global property crash.

At present the risks of climate change are not properly reflected in house prices. A study in *Nature*, a journal, finds that if the expected losses from increased flooding alone were taken into account, the value of American homes would fall by \$121bn-237bn. Many buyers and sellers are simply unaware of the risks. When these are brought home, prices change. A study published in 2018 in the *Journal of Urban Economics* found a persistent 8% drop in the price of homes built on flood plains in New York following Hurricane Sandy, which caused widespread flooding in 2012. Properties just inside zones in California where sellers are required to disclose the risk of wildfires cost about 4% less than houses just outside such zones.

In many cases, the risks climate change poses to property are only slowly becoming apparent—as with London's geology. The distinctive yellowish bricks with which many houses in the city are built are made from the clay on which the houses stand. It is good to build with, but recently has proved not so good to build on. During the now-milder winters, there is higher rainfall, since warmer air can hold more moisture. As the clay absorbs the rain, it expands. Warmer summers then dry it out again, causing the ground to contract. That would not be a problem if the expansion and contraction were uniform, says Owen Brooker, a structural engineer. But they are not, owing to trees, which suck up moisture in their vicinity. The resulting variation in the accordion effect causes the ground to buckle and twist in places, and the houses above to list and crack.

Two-fifths of London's housing stock, 1.8m homes, will be susceptible to subsidence by 2030, according to the British Geological Survey. Other nearby cities, such as Oxford and Cambridge, are also at risk (see map). Remediation, often by installing concrete underpinning, typically costs around £10,000 (\$12,500) but can be much more. PwC, a consultancy, estimates that British home insurers will be paying out £1.9bn a year on subsidence claims by 2030. "To be honest the insurance companies would do themselves a good service



by making people aware," says Mr Brooker.

Analysts call the direct impacts of climate change, such as this "shrink-swell" effect, physical risks. Some, like shrink-swell, are chronic. Others are acute, such as hurricanes, floods and wildfires. In either case, not only can a house be completely destroyed, but the ongoing risk of further such calamities can make it hazardous to rebuild in the same place. Even the simplest of changes in the weather can make houses uninhabitable: only a small minority of Indian homes have air conditioning, so if the temperature rises much, many become unbearably hot.

Physical risks are growing everywhere (see chart 1 on next page). The problem is not limited to dry, thundery summers in Europe. According to the National Centres for Environmental Information, a government agency, America suffered 28 natural disasters that did more than \$1bn of damage last year, exceeding the previous record of 22 in 2020. Meanwhile Typhoon Doksuri, which hit the Philippines and

then southern China last year, was the most costly typhoon in history.

The risks are not spread evenly, however. Research conducted by the Bank of England in 2022 found that just 10% of postcode districts, each roughly the size of a small town, would account for 45% of the mortgages that would be impaired if average global temperatures reached 3.3°C above pre-industrial levels, largely because of the increased risk of flooding in those places. For similar reasons, a back-of-the-envelope calculation suggests that roughly 40% of the value of property in Amsterdam could be wiped out by physical risks compared with just 7% for Tokyo.

Data are scarcest for the impact on poorer countries, but many of the world's most populated cities are coastal. A study published in 2017 by Christian Aid, a charity, suggests that in terms of population Kolkata and Mumbai in India and Dhaka in Bangladesh are the most exposed to rising sea levels. In terms of the value of property at risk, the most vulnerable are Miami, Guangzhou and New York.

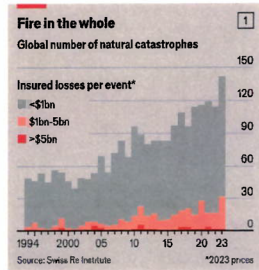
Tokyo rose

But the risks are not fixed. They can be reduced, most obviously through private and public efforts to improve preparedness. Part of the reason that the risks to Tokyo are low is that it dramatically improved drainage and flood defences after Typhoon Kit hit in 1966, flooding 42,000 buildings. When Typhoon Lan brought similar amounts of rain in 2017, only 35 buildings were swamped.

In theory, house and insurance prices should provide a clear market signal about the risks of climate-related harm to any given property. But even in places obviously in harm's way, such as Miami, the signal is often distorted. For one thing, it was only ▶



It wouldn't happen in Tokyo



► In March that Florida's legislature approved a bill requiring those selling a property to disclose if it had previously flooded. Worse, there is good reason to think that home insurance in Florida is underpriced. Most Floridians would gasp at such a notion: according to Insurify, an insurance company, the average annual premium for a typical single-family home in the state is likely to hit \$11,759 this year. Yet even with such swinging rates, several private home insurers have gone bust or withdrawn from Florida in recent years.

The state government, however, shields homeowners from the market through a state-owned insurer of last resort, which provides policies to homes that private insurers will not cover. Citizens Property Insurance Corporation has become Florida's largest home insurer (see chart 2). Its exposure is now \$42bn, much more than the state's public debt—and all on houses that, by definition, other insurers deem too risky to cover. This suggests that Citizens has been providing a big subsidy to homeowners from taxpayers. Flood insurance underwritten by the federal government suffers from similar flaws. First Street Foundation, which aims to track the threats to American property from climate change, calculates that home values in West Palm Beach, a glitzy city up the coast from Miami, would fall by 40% if owners had to pay the true cost of insuring against hurricanes and floods. That would wipe out many homeowners' equity and leave lots of mortgages without adequate collateral.

Yet Miami's property market is booming. A forest of apartment buildings is rising around the city. Over the past five years house prices have leapt by 79%, according to the Case-Shiller index. If the market is sending any signal about the risks of climate change to property, it is to relax.

To make matters even worse, physical risks are not the only peril climate change presents to property-owners. There is also "transition risk", which refers to the possibility that governments may oblige homeowners to renovate in ways that re-

duce the carbon footprint of their properties. Such policies can lead to substantial costs. Germany's coalition government, for example, had planned to ban new gas boilers from the beginning of this year, which would have landed lots of homeowners with costs of €15,000 or more, even after subsidies. (The policy caused such an uproar that the changes were watered down and delayed last year.)

If governments stick to their emissions targets, costly mandates will return. Buildings account for 18% of the world's energy-related emissions, largely through heating in winter and cooling in summer. The International Energy Agency, a watchdog, estimates that annual investment of \$574bn will be needed for energy efficiency and clean technologies in building by 2030, more than double the \$250bn invested in 2023. Environmental policies can also raise electricity bills, increasing homeowners' costs in a different way.

Quantifying transition risks is tricky. It is hard to know how much residential property there is in the world, says Bryan Reid of MSCI, let alone how green policies may affect its value. His firm's modelling suggests that, if governments imposed policies intended to limit the rise in temperatures above the long-term average to 1.5°C, the costs would amount to 3.4% of the value of housing held in investment portfolios. That is lower than the 6% toll that MSCI's modelling suggests physical risks will take, but still substantial.

The more serious governments become about curbing emissions, the greater the transition risks (although in the long run, such policies should reduce physical risks). At the climate summit in Dubai last year Emmanuel Macron, France's president, called for the European Central Bank to introduce two separate interest rates, one for "brown lending" for investments in fossil fuels and one for "green lending". Banks that have committed to reducing the emissions associated with their lending will need to ensure that their portfolio of mortgages aligns with their targets. Draughty, natural-gas-guzzling homes could face a higher cost of finance than greener ones and consequently sell for a discount.

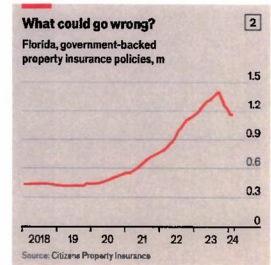
In the long run there is a good chance that both physical and transition risks will land with governments. Carolyn Sousoy, of the Environmental Defense Fund, a pressure group, imagines a scenario in which multiple natural disasters strike different parts of America at the same time. That could lead to a sudden increase in insurance prices across much of the country and a slide in property values. Homeowners unwilling to pay a fortune to keep living in a disaster zone might simply hand the keys to their houses back to their mortgage-providers, which could in turn face losses owing to the fall in prices.

America's state-backed mortgage giants, Fannie Mae and Freddie Mac, require borrowers to have home insurance. If their customers cannot afford it, the pair could suffer a wave of defaults. "We're acutely aware of it," says Dan Coates, the acting chief of staff at the Federal Housing Finance Agency, which oversees Fannie and Freddie. "There are plenty of stopgaps in place to keep that cascade of bad events from having the consequences that we all worry about," he adds, pointing to federal disaster-relief payments and a potential repeat of the forbearance that Fannie and Freddie offered homeowners during the covid-19 pandemic. But such measures would in effect transfer risks from homeowners to the federal government.

Mortgaging the future

In democracies where most voters own their homes, politicians have an incentive to shield homeowners from the bill from climate change for as long as possible. Germany's coalition government, which has struggled to recover from the row over gas boilers, is considered a cautionary tale. Procrastination is also a reflection of the global logic of climate change: even if a government introduces stringent measures to cut emissions in its own country, that does not necessarily reduce global emissions and therefore physical risks. No amount of investment in energy efficiency in German homes, for instance, would have prevented the floods in 2021 that caused more than \$40bn of damage.

Yet the longer governments protect homeowners from the risks the larger they become. Vulnerable places like Miami grow even as climate change intensifies, with new arrivals assuming that taxpayers will defray the ballooning future costs. At some point, that assumption will become untenable, with unpredictable consequences. Climate change is often cast as something happening to other people, in faraway places and in desperate circumstances. But for much of the rich world, the costs are starting to come home. ■

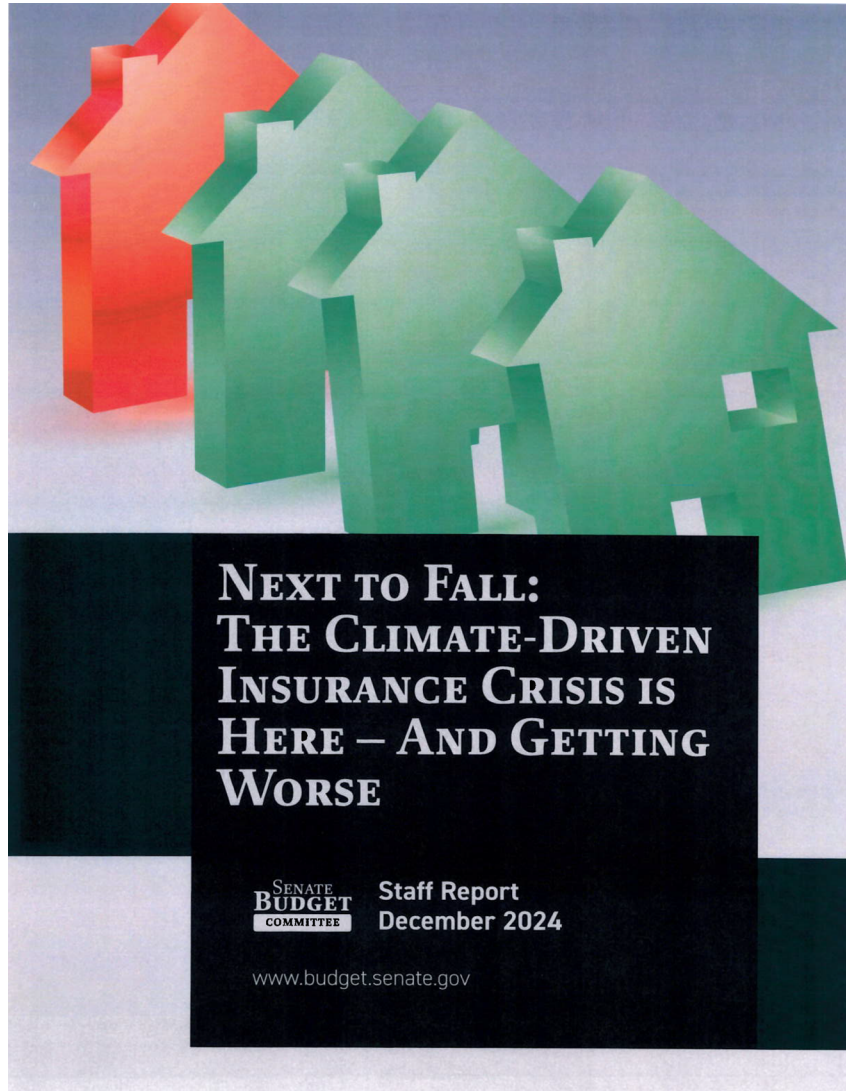


Senator WHITEHOUSE. We put a lot of work into this when I was chair of the Budget Committee.

I would also like to put in the report summarizing the evidence we used in the Budget Committee on the same insurance crisis.

Senator CAPITO. Without objection.

[The referenced information follows:]



**NEXT TO FALL:
THE CLIMATE-DRIVEN
INSURANCE CRISIS IS
HERE – AND GETTING
WORSE**

SENATE
BUDGET
COMMITTEE

Staff Report
December 2024

www.budget.senate.gov

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EXECUTIVE SUMMARY

In early 2023, the Senate Budget Committee began a series of hearings examining the risks that climate change poses to insurance, mortgage, and property markets in coastal and wildfire-exposed communities. The Committee organized these hearings in response to growing reports of turbulence in insurance markets in Florida, Louisiana, California, and Texas. Since these first hearings, reports have continued to mount about rising premiums and fleeing insurers in these states.

In November 2023, the Committee launched an investigation into homeowners' insurance market conditions across the country to better understand the geographic scope of the troubles affecting the market. The Committee focused on non-renewal data, as insurance industry experts had indicated that spiking non-renewal rates, even if still low in absolute terms, are often an early warning sign of market destabilization. Higher non-renewal rates are also correlated with higher premiums.

The Committee ultimately obtained national, county-level non-renewal data from 23 of the 41 companies from which it requested this data. The data cover the years 2018 through 2023, and the companies responding collectively account for approximately 65 percent of the homeowners' insurance market nationwide. The data released with this Report demonstrate climate change beginning to upend insurance markets around the country.

First, the data confirm that it is climate change that is driving increasing non-renewal rates, as the counties that are most exposed to climate-related risks such as wildfires or hurricanes are the counties seeing the highest non-renewal rates.

Second, the data reveal that Florida, Louisiana, California, and Texas are not the only places experiencing spiking non-renewal rates and increasing premiums. Florida has the highest average statewide non-renewal rate; Texas is not even in the top ten. Southern New England, the Carolinas, New Mexico and counties in the Northern Rockies, Oklahoma, and Hawaii all suffer from high non-renewal rates, demonstrating that the full panoply of climate-related effects (hurricanes, wildfires, severe convective storms, hail, extreme precipitation, and sea level rise) are all destabilizing insurance markets.

EXECUTIVE SUMMARY

Third, the non-renewal data we obtained confirm a correlation between rising non-renewal rates and rising premiums. This underscores that climate change has become a major cost-of-living issue for families across the country.

In the past few months, climate change-driven extreme weather events have wreaked new havoc across Florida and the southeastern United States. Events such as these will only exacerbate the insurance crisis that is building across the country.

One thing is certain: unless the United States and the world rapidly transition to clean energy, climate-related extreme weather events will become both more frequent and more violent, resulting in ever-scarcer insurance and ever-higher premiums. This is predicted to cascade into plunging property values in communities where insurance becomes impossible to find or prohibitively expensive — a collapse in property values with the potential to trigger a full-scale financial crisis similar to what occurred in 2008. To avoid such a devastating fate, we must speed the transition to clean energy and eliminate carbon pollution. Climate change is no longer just an environmental problem. It is a looming economic threat.

I. INTRODUCTION: THE ECONOMIC COSTS OF CLIMATE CHANGE

A. Climate Change Poses a Destabilizing Threat to the U.S. Economy and Global Financial Systems.

Public discourse on climate change often focuses on environmental degradation — for good reason. But climate change also poses one of the greatest *economic* risks currently facing the United States. Over the last three decades, more than \$10 trillion — about 35 percent — of our national debt can be traced to two massive economic shocks: the 2008 financial crisis and the Covid pandemic.¹ The Great Recession eviscerated the financial security of families and businesses across the country and reduced federal revenues for a decade. The nonpartisan Congressional Budget Office (CBO) found that it added \$5 trillion to the national debt.² CBO also estimated that the pandemic added *another* \$5 trillion to the federal deficit while increasing borrowing costs, lowering economic output, and reducing national income.³

The economic shocks from climate change may be even worse. Central bankers, financial experts, economists, insurance executives, elected officials, and other thought leaders have argued that, in addition to the immediate costs of emissions-driven natural disasters, climate change poses new systemic risks to the U.S. economy; systemic risks that can cascade beyond immediately-affected sectors and inflict widespread economic damage. The primary risks are collapse in the insurance sector impacting mortgage and property markets, and a bursting of the “carbon bubble” leading to a sudden devaluation of fossil fuel assets severe enough to cascade into the broader economy.

The U.S. government has recently released comprehensive reports examining the destabilizing risks to the U.S. economy, and climate change features prominently. In 2020, for example, the Commodity Futures Trading Commission published a first-of-its-kind report on climate risks to the financial system and long-term economic growth. It concluded that “[c]limate change is already impacting or anticipated to impact nearly every facet of the economy” and that, “if significant action is not taken to check rising global average

¹ See, e.g., Congressional Budget Office, *The Budget Outlook: 2024 to 2034*, at 13 (Feb. 2024), <https://www.cbo.gov/system/files/2024-02/59710-Outlook-2024.pdf> (CBO’s correlating Historical Budget Data online at <https://www.cbo.gov/data/budget-economic-data>); *The Growing National Debt*, U.S. Department of the Treasury, <https://fiscaldata.treasury.gov/americas-finance-guide/national-debt/#the-growing-national-debt> (last visited Dec. 17, 2024); Press Release, U.S. Senate Committee on the Budget, *Whitehouse Statement at Hearing on CBO’s Budget and Economic Outlook* (July 10, 2024), <https://www.budget.senate.gov/chairman/newsroom/press/whitehouse-statement-at-hearing-on-cbos-budget-and-economic-outlook>.

² See, e.g., Congressional Budget Office, *The Budget Outlook: 2024 to 2034*, at 13 (Feb. 2024), <https://www.cbo.gov/system/files/2024-02/59710-Outlook-2024.pdf>; Congressional Budget Office, *The Budgetary Impact and Subsidy Costs of the Federal Reserve’s Actions During the Financial Crisis* (May 2010), <https://www.cbo.gov/sites/default/files/111th-congress-2009-2010/reports/05-24-federalreserve.pdf>.

³ Committee for a Responsible Federal Budget, *Updated Budget Projections Show Fiscal Toll of COVID-19 Pandemic* (June 24, 2020), https://www.crfb.org/sites/default/files/managed/media-documents/2022-02/Updated%20Budget%20Projections%20Show%20Fiscal%20Toll%20of%20COVID-19%20Pandemic_0.pdf.

temperatures, climate change impacts could impair the productive capacity of the economy and undermine its ability to generate employment, income, and opportunity.”⁴

In 2021, the Treasury Department’s Financial Stability Oversight Council identified climate change as an emerging and growing threat to the entire economy.⁵ In early 2023, the Economic Report of the President warned that “[r]apid changes in asset prices or reassessments of the risks in response to a shifting climate could produce volatility and cascading instability in financial markets.”⁶ The report echoed similar comments by U.S. Secretary of the Treasury Janet Yellen, who declared that “climate change will likely become a source of shocks to the financial system in the coming years. As climate change intensifies, natural disasters and warming temperatures can lead to declines in asset values that could cascade through the financial system.”⁷

Earlier this month, the Senate Budget Committee released its own report⁸ summarizing the nearly 20 hearings it held during the 118th Congress examining the economic costs and risks associated with climate change. It explored the way that climate change is driving price increases (climate-flation), harming a variety of industries, damaging infrastructure, destabilizing municipal bond markets, threatening asset values, and roiling insurance, mortgage, and property markets.

B. Chief Among the Economic Threats Posed by Climate Change are Risks to Homeowners’ Insurance Markets and Property Values.

Homeowners’ insurance is particularly exposed to climate risk, and destabilization in insurance markets could trigger cascading economy-wide financial upheaval. As the Economic Report of the President stated, “property insurance against catastrophic natural hazards is at the forefront of climate change risk exposure and is already showing signs of strain.”⁹ Similarly, Treasury Secretary Yellen warned that, “[i]n response to rising insured losses, some insurers are

⁴ U.S. Commodity Futures Trading Commission, Market Risk Advisory Committee, Managing Climate Risk in the U.S. Financial System (2020), <https://www.cftc.gov/sites/default/files/2020-09/9-9-20%20Report%20of%20the%20Subcommittee%20on%20Climate-Related%20Market%20Risk%20-%20Managing%20Climate%20Risk%20in%20the%20U.S.%20Financial%20System%20for%20posting.pdf>.

⁵ Press Release, U.S. Department of the Treasury, Financial Stability Oversight Council Identifies Climate Change as an Emerging and Increasing Threat to Financial Stability (Oct. 21, 2021), <https://home.treasury.gov/news/press-releases/jy0426>.

⁶ Executive Office of the President, Economic Report of the President, Together with the Annual Report of the Council of Economic Advisers (Mar. 2023) [hereinafter Economic Report of the President], <https://www.whitehouse.gov/wp-content/uploads/2023/03/ERP-2023.pdf>.

⁷ Press Release, U.S. Department of the Treasury, Remarks by Secretary of the Treasury Janet L. Yellen at the First Meeting of the FSOC Climate-related Financial Risk Advisory Committee (Mar. 7, 2023), [hereinafter Remarks by Secretary of the Treasury Janet L. Yellen] <https://home.treasury.gov/news/press-releases/jy1325>.

⁸ Staff Report, U.S. Senate Committee on the Budget, Uncovering the Economic Costs of Climate Change (Dec. 2024), https://www.budget.senate.gov/imo/media/doc/uncovering_the_economic_costs_of_climate_change.pdf.

⁹ Economic Report of the President, *supra* note 6.

raising rates or even pulling back from high-risk areas. This has potentially devastating consequences for homeowners and their property values. Developments like these can spill over to other parts of our interconnected financial system.”¹⁰ Indeed, Federal Reserve Bank Chairman Jerome Powell testified to the Senate Committee on Banking in March 2024 that “[i]nsurance of various different kinds — housing insurance, but also automobile insurance, and things like that — [have] been a significant source of inflation over the last few years.”¹¹ He further noted that, “[i]n the longer term, companies are withdrawing from writing insurance in some coastal areas. . . . [I]t’s a significant issue.”¹²

In communities across the United States, homeowners are already facing a climate-driven insurance affordability crisis. As climate-related risks have increased, so, too, have climate losses. Some estimates suggest that “[i]nsured losses from natural disasters in the U.S. now routinely approach \$100 billion a year, compared to \$4.6 billion in 2000.”¹³ This has, in turn, translated to an accompanying increase in insurance premiums. Between 2020 and 2023, insurance premiums in the top 20 percent of counties for climate risk increased by 22 percent,¹⁴ and studies have found that insurance premiums have increased 40 percent faster than inflation.¹⁵ Homeowners have, on average, “seen their premiums spike 21 percent since 2015. . . . That means ever more people are forgoing coverage, leaving them vulnerable and driving prices even higher as the number of people paying premiums and sharing risk shrinks.”¹⁶ Staggeringly, around 67 percent of homes in the United States are now underinsured.¹⁷

Some insurers, unable to justify doing business in communities on the frontlines of climate change, have, as Federal Reserve Chair Powell observed, pulled out of markets entirely.¹⁸ Citing “rapidly growing catastrophe exposure, and a challenging reinsurance

¹⁰ Remarks by Secretary of the Treasury Janet L. Yellen, *supra* note 7.

¹¹ Jeanna Smialek, *Insurance Costs Are Pushing Up Overall Inflation*, N.Y. Times (Mar. 12, 2024), <https://www.nytimes.com/2024/03/12/business/insurance-inflation.html>.

¹² *The Semiannual Monetary Policy Report to the Congress: Hearing Before the Sen. Comm. on Banking, Hous., and Urban Aff.*, 118th Cong. (Mar. 7, 2024) (statement of Jerome H. Powell, Chair, Board of Governors of the Federal Reserve System), https://www.banking.senate.gov/imo/media/doc/powell_testimony_3-7-231.pdf.

¹³ Lois Parshley, *As climate risks mount, the insurance safety net is collapsing*, Grist (Oct. 10, 2023), <https://grist.org/economics/as-climate-risks-mount-the-insurance-safety-net-is-collapsing/>.

¹⁴ Oliver Milman, *How climate risks are driving up insurance premiums around the US – visualized*, The Guardian (Dec. 5, 2024), <https://www.theguardian.com/environment/2024/dec/05/climate-crisis-insurance-premiums>.

¹⁵ Li Cohen et al., *Climate change is making home insurance costs more expensive. These maps show prices and weather risks in your state*, CBS News (Sept. 17, 2024), <https://www.cbsnews.com/news/maps-home-insurance-costs-state-extreme-weather-risks/>; Emma Waters, *Rising Insurance Costs and the Impact on Housing Affordability*, Bipartisan Policy Center (June 25, 2024), <https://bipartisanpolicy.org/blog/rising-insurance-costs-and-the-impact-on-housing-affordability/>.

¹⁶ Parshley, *supra* note 13.

¹⁷ *Id.*

¹⁸ Lindsey Jacobson, *Insurers such as State Farm and Allstate are leaving fire- and flood-prone areas. Home values could take a hit*, CNBC (Feb. 5, 2024), <https://www.cnbc.com/2024/02/05/what-homeowners-need-to-know-as->

market,” major companies have stopped writing new policies in particularly high-risk regions.¹⁹ For example, in Louisiana, nearly 20 companies pulled out of the state’s market in the last two years.²⁰

Unfortunately, problems in the insurance market are unlikely to remain confined to the insurance market. Insurance is essential to obtaining a mortgage, so as insurance becomes less available, more and more affected properties will become unmortgageable.²¹ And as more and more properties become unmortgageable, property values in affected markets will decline, as most buyers need a mortgage.

According to one estimate, “climate change and the fight against it could wipe out 9% of the value of the world’s housing by 2050—which amounts to \$25 [trillion].”²² Because the greatest source of wealth for most Americans is their homes, declining property values will erode household wealth.²³ Any widescale decline in property values would thus present a systemic risk to the U.S. economy similar to what occurred during the 2007-2008 mortgage meltdown and ensuing global financial crisis. Indeed, the former chief economist for Freddie Mac has written with respect to a climate change-driven decline in coastal property values that “[t]he economic losses and social disruption may happen gradually, but they are likely to be greater in total than those experienced in the housing crisis and Great Recession.”²⁴ The difference from 2008 is that the financial system and asset values could and did recover. The physical risks of climate change make a similar recovery unlikely: a home too endangered to insure will only become more endangered.

[insurers-leave-high-risk-climate-areas.html](#); Transcript: *Why Insurers Are Pulling Out of High-Risk Areas*, Bloomberg (Sept. 26, 2023), <https://www.bloomberg.com/news/articles/2023-09-26/transcript-why-insurers-are-pulling-out-of-high-risk-areas?embedded-checkout=true>; Arthur Fliegelman, *Wind, Fire, Water, Hail: What Is Going on In the Property Insurance Market and Why Does It Matter?*, Office of Financial Research (Dec. 14, 2023), <https://www.financialresearch.gov/the-ofr-blog/2023/12/14/property-insurance-market/>; Diane P. Horn & Baird Webel, Congressional Research Service, IN12375, *Natural Disasters and the Homeowners Insurance Market* (June 12, 2024), <https://crsreports.congress.gov/product/pdf/IN/IN12375>.

¹⁹ Parshley, *supra* note 13.

²⁰ *Id.*

²¹ See, e.g., Lindsay Fenlock et al., *Climate Crisis Triggers Dangerous Domino Effect: Insurance, Housing, Financial Crises*, Center for International Environmental Law (July 23, 2024), <https://www.ciel.org/climate-crisis-domino-effect/>.

²² *Global warming is coming for your home*, The Economist (Apr. 11, 2024), <https://www.economist.com/leaders/2024/04/11/global-warming-is-coming-for-your-home>.

²³ Parshley, *supra* note 13; see, e.g., *id.*; Board of Governors of the Federal Reserve System, *Changes in U.S. Family Finances from 2019 to 2022 Evidence from the Survey of Consumer Finances* (Oct. 2023), <https://www.federalreserve.gov/publications/files/scf23.pdf>.

²⁴ *Life’s a Beach: The Impact of Sea Level Rise on Coastal Housing*, Freddie Mac (Apr. 26, 2016), <https://www.freddiemac.com/research/insight/20160426-lifes-a-beach>.

In the event that such a large-scale climate-driven decline in property values were to occur, the economic damage would not be confined to affected coastal communities. Across the United States, people would lose jobs, economic activity would contract, and retirement investments would lose value.²⁵ It would be 2008 all over again, with the difference that — this time — the affected properties would never regain their value.

A multipart exposé in *The Economist* recently summarized all these concerns bluntly: “As the climate worsens and natural disasters become more frequent, home insurance is therefore getting more expensive. In places, it could become so dear as to cause house prices to fall; some experts warn of a ‘climate-insurance’ bubble affecting a third of American homes. ...Housing is too important an asset to be mispriced across the economy — not least because it is so vital to the financial system.”²⁶ Citing an MSCI study, the article continued: “[O]ver the next 25 years the costs of climate change, in terms both of damage to property and of investments to reduce emissions, may amount to almost a tenth of the value of the housing in institutional investors’ portfolios. If the same holds true of housing in general, the world is facing roughly a \$25 [trillion] hit. The impending bill is so huge, in fact, that it will have grim implications not just for personal prosperity, but also for the financial system.”²⁷

C. New Committee Data Reveals Nationwide Insurance Risks.

Climate change is creating an insurance crisis that could trigger a crash in property values and other cascading economic shocks, yet consumers and policymakers lack nationwide databases capturing trends in insurance non-renewals and premiums. Groups like the National Association of Insurance Commissioners have recognized the need for “more insight into the health of property markets at both the state and national level in order to inform regulator insights [...] and help assess market concentrations and competitiveness,” but also have recognized that “not all states gather granular data [about] availability and affordability of coverage for consumers in some areas.”²⁸

With the release of this Report and accompanying data, that information gap begins to close.

II. SUMMARY OF THE INVESTIGATION AND METHODOLOGY

On November 1, 2023, the Senate Budget Committee launched an investigation into how insurance companies are navigating the mounting risks from climate change. In letters to 41 insurance companies, the Committee requested information and data to better understand trends

²⁵ *The Coming Financial Hurricane*, Lever News (Oct. 9, 2023), <https://www.levernews.com/the-coming-financial-hurricane/>.

²⁶ *Global warming is coming for your home*, *supra* note 22.

²⁷ *Id.*

²⁸ Press Release, National Association of Insurance Commissioners, States Issue Property & Casualty Market Intelligence Data Call Covering Over 80% of U.S. Market (Mar. 8, 2024), <https://content.naic.org/article/states-issue-property-casualty-market-intelligence-data-call-covering-over-80-us-market>.

in insurance availability and help predict future risks of non-renewal or market withdrawal.²⁹ The letters to the companies cited growing concerns related to (i) insurers having ceased writing new policies in California due in part to increased losses associated with wildfires; (ii) the acceleration of the insurance industry exodus from Florida due in part to increased losses from hurricanes; (iii) projections that premiums in Florida could increase by 40 percent or more in 2023; (iv) increased premiums and decreased availability beginning to disrupt the Florida real estate market; (v) insurers continuing to exit or reduce exposure to the Louisiana market due in part to increased losses from hurricanes; (vi) reinsurers in Iowa exiting the state after a string of extreme weather events; and (vii) the announcement by the National Oceanic and Atmospheric Administration that, as of October 10, 2023, there had already been 24 extreme weather disasters in the United States with costs of \$1 billion or more — the most in recorded history.

Among other inquiries, the letter posed the following request to all 41 insurance companies:

Please provide a list of all counties (or county equivalents) in the United States in which your company did not renew 25 or more homeowners policies (including umbrella policies, multi-peril policies, or other policies to provide property and casualty coverage to a dwelling) or did not renew such policies for more than 10 percent of all such policies underwritten by your company in such county. Please provide the number of such policies not renewed in each such county and the percentage of total such policies underwritten in such county non-renewals represent. Please provide this information for 2018, 2019, 2020, 2021, 2022, and 2023.

Following nearly a year of negotiations with the companies, the Committee received substantive data from 23 companies whose collective share of the “Homeowners Multiple Peril” market in the United States, as defined by the National Association of Insurance Commissioners (NAIC), totals nearly 65 percent.³⁰ More specifically, the data was provided to the Committee as follows:

²⁹ The full list of companies receiving the letter is: American International Group, Allied Trust, American Integrity, Allstate, American Family, AmTrust, Applied Underwriters, Auto Club Enterprises, AXA, Berkshire Hathaway, Chubb, CNA, CSAA, Fairfax, Farmers, Florida Peninsula, First Protective, Gulf States, Hartford, Heritage, Homeowners of America, Homeowners Choice, Kemper, Louisiana Farm Bureau, Liberty Mutual, Mercury General, Nationwide, Olympus, People’s Trust, Progressive, Security First, Shelter Mutual, Slide, State Farm, SURE, Tokio Marine, Tower Hill, Travelers, Universal Insurance Holdings, USAA, and Zurich. These companies are the 20 largest non-state-backed underwriters of homeowners’ insurance in Florida, Louisiana, Texas, and California. *See* Press Release, U.S. Senate Committee on the Budget, Budget Committee Launches Investigation into Climate Change-Fueled Insurance Crisis (Nov. 2, 2023), <https://www.budget.senate.gov/chairman/newsroom/press/budget-committee-launches-investigation-into-climate-change-fueled-insurance-crisis>.

³⁰ National Association of Insurance Commissioners, 2023 Market Share Reports For Property/Casualty Groups and Companies by State and Countrywide (Aug. 2024), <https://content.naic.org/sites/default/files/publication-msr-pb-property-casualty.pdf>.

- In timely compliance with the Committee’s request, 8 companies provided the requested data directly to the Committee;
- Following negotiations with the Committee to address various concerns, 3 companies provided data directly to the Committee;
- Following negotiations with the Committee to address various concerns, 12 companies provided data to Milliman, the independent insurance consultancy and analytical firm, which then aggregated and anonymized the data and provided it to the Committee.³¹

The Committee then standardized the companies’ data into an easy-to-understand, sortable table, which can be found [here](#).³²

III. FINDINGS OF THE INVESTIGATION

A. Coastal and Wildfire-Prone Areas Already Suffer from An Insurance Availability Crisis.

Analysis of the Committee’s data sheds new light on the state of homeowners’ insurance nationwide. It is clear from this data that homeowners’ insurance in coastal and high-risk areas is already in the throes of crisis.

In 2023 alone, all 10 of the top 10 states ranked by insurance non-renewal rate were either coastal states, which are naturally more prone to climate-related extreme weather events like hurricanes and slower-moving climate-related effects such as coastal erosion; states with counties that experienced an average annual loss of \$10 million or more from wildfire damage,

³¹ The Committee understands that much of the data collected by Milliman was data that the companies had also provided to the National Association of Insurance Commissioners (NAIC) in connection with a similar data call.

³² The vast majority of the data the Committee received was aggregated and anonymized by Milliman. This data was organized into columns representing the number of non-renewals each year and number of policies in force at the end of the relevant year (for years 2018 through 2023). Many of the companies that provided the Committee with data directly, however, provided the number of non-renewals and the percentage of non-renewals represented by that number. In these cases, the Committee calculated—by dividing the number of non-renewals by the provided percentage (as a decimal)—the number of policies in force; because the vast majority of the other data provided for policies in force reflected the number of policies in force at *end of year*, the Committee treated the calculated policy number as number of policies in force at *end of year*. Accordingly, in the table released, the data is organized into four columns, as follows: the “# of non-renewals” column reflects exact numbers provided to the Committee; the “Total End of Year Policies” column reflects the sum of exact numbers provided to us and the calculated policy numbers; the “Calculated Policies in Force” represents the sum of the “# of Non-Renewals” and “Total End of Year Policies”; and the “Calculated Non-Renewal Rate” shows the percentage derived from dividing “# of non-renewals” (numerator) by “Calculated Policies in Force” (denominator), as recommended by Milliman. Because some of the data provided to Milliman and to the Committee was data that companies had also provided to NAIC in connection with a similar data call, such data does not include insurance policies covering condominiums and cooperatives, which were excluded from the NAIC request.

as determined by the non-partisan risk advisor First Street; or both (Florida and California).³³ Extended to the top 25 states ranked by insurance non-renewal rate, the number of such states jumped to 17, with several outside the top 10 — New Mexico, Utah, Montana, Idaho, Colorado, and even Virginia and South Carolina — suffering major wildfire losses.³⁴

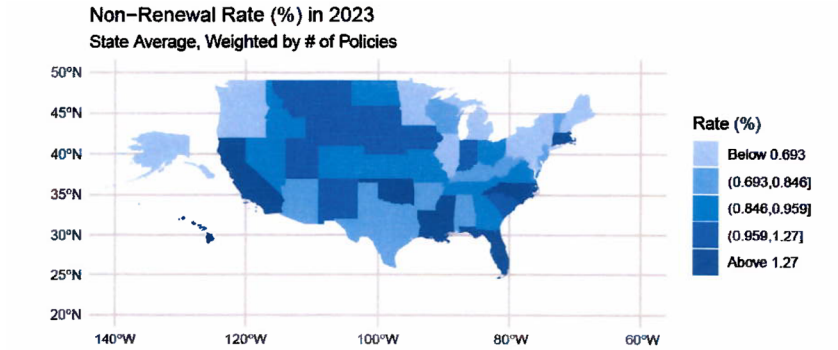
Table 5: States by Non-Renewal Rate 2023

State	Non-Renewal % 2018	Non-Renewal % 2023	Non-Renewal Change 2018 - 2023	
1	FL	0.79	2.60	2.2
2	LA	0.49	1.8	1.31
3	NC	2.07	1.79	-0.28
4	CA	0.94	1.73	0.77
5	MA	1.18	1.51	0.34
6	MS	0.96	1.49	0.53
7	OK	0.72	1.45	0.74
8	RI	0.69	1.37	0.68
9	CT	0.86	1.34	0.48
10	HI	0.42	1.32	0.9
11	NM	0.97	1.27	0.3
12	DC	0.96	1.24	0.28
13	SC	0.52	1.24	0.71
14	SD	0.88	1.12	0.24
15	IA	0.96	1.06	0.1
16	UT	0.72	1.06	0.34
17	NE	0.88	1.05	0.17
18	MT	0.61	1.02	0.41
19	IN	1	0.88	-0.02
20	TN	0.98	0.96	-0.02
21	VA	0.7	0.85	0.25
22	MO	0.99	0.94	-0.05
23	OH	1.03	0.89	-0.14
24	ID	0.77	0.87	0.1
25	CO	1.1	0.86	-0.24
26	GA	1.16	0.86	-0.3
27	ND	0.64	0.86	0.22
28	KS	0.81	0.85	0.04
29	NV	0.63	0.85	0.21
30	VT	0.7	0.85	0.14
31	WY	0.51	0.84	0.34
32	TX	0.81	0.83	0.02
33	AL	1.01	0.82	-0.19
34	AZ	1.16	0.8	-0.36
35	NJ	0.47	0.8	0.33
36	KY	0.6	0.77	0.17
37	WI	0.81	0.77	-0.04
38	DE	0.62	0.74	0.11
39	WV	0.45	0.74	0.29
40	AR	0.84	0.73	-0.2
41	WA	0.42	0.69	0.27
42	OR	0.83	0.68	-0.15
43	IL	0.54	0.66	0.12
44	MD	0.5	0.65	0.15
45	NH	1.25	0.63	-0.62
46	ME	0.4	0.61	0.2
47	MI	0.46	0.58	0.12
48	NY	0.39	0.57	0.18
49	AK	0.05	0.42	-0.53
50	PA	0.29	0.37	0.09
51	MN	0.58	0.32	-0.26

Table 5. States by Non-Renewal Rate 2023

³³ First Street Foundation, *The 9th National Risk Assessment, The Insurance Issue* (Sept. 20, 2023), <https://assets.riskfactor.com/media/National-Risk-Assessment-The-Insurance-Issue.pdf>.

³⁴ *Id.*



Map 1. Non-Renewal Rate (%) in 2023 (State Level)

The data tell a similar story at the county level: in 2023, among counties nationwide with at least 10,000 policies in force, 48 of the top 50 counties — and 82 of the top 100 counties — ranked by highest insurance non-renewal rates were coastal or low-lying delta counties, very high or relatively high-risk wildfire counties (as measured by FEMA’s National Risk Index (NRI)),³⁵ or both. Coastal and low-lying delta counties alone accounted for 16 of the top 25, 35 of the top 50, and 58 of the top 100 counties nationwide ranked by 2023 non-renewal rate.

³⁵ Federal Emergency Management Agency, National Risk Index, Data Resources, [hereinafter FEMA National Risk Index], <https://hazards.fema.gov/nri/data-resources> (last visited Dec. 17, 2024).

Table 1: 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

County	State	Non-Renewal %		Annual Prem.		Prev. County
		% 2023	% 2022	2023	2022	
1 LAKE	CA	2.11	2.29	258	261	
2 NAVAJO	AZ	2.10	6.54	188	188	
3 HANCOCK	MA	2.09	2.09	307	307	
4 WASHINGTON	CA	2.03	1.81	NA	NA	
5 JACKSON	MS	1.92	1.92	126	126	
6 FRANKLIN	CA	1.89	1.89	NA	NA	
7 HARRISON	MS	1.85	1.81	136	136	
8 ELGAR	CA	1.78	1.92	NA	NA	
9 SHASTA	CA	1.65	1.62	226	226	
10 COLAR	FL	1.62	1.62	106	106	
11 INDIANWELL	FL	1.61	1.79	294	294	
12 CHARLESTON	FL	1.62	1.71	254	254	
13 BURLINGAME	FL	1.61	1.46	202	202	
14 BOULDER	FL	1.58	1.62	NA	NA	
15 HAMILTON	MA	1.47	1.25	241	241	
16 ANDOVER	MA	1.47	1.25	241	241	
17 PLYMOUTH	MA	1.44	1.2	210	210	
18 WINDHAM	VT	1.42	1.22	223	223	
19 FLETCHER	FL	1.32	1.2	292	292	
20 NEWYORK	NY	1.25	1.11	1216	1216	
21 BELLEVUE	NY	1.22	1.12	145	145	
22 CHALLENOR	NY	1.15	1.07	300	300	
23 ONEIDA	NY	1.09	1.06	300	300	
24 WASHINGTON	FL	1.09	1.09	116	116	
25 PEARSON	FL	1.01	1.01	103	103	
26 MARYLAND	LA	1.01	1.01	103	103	
27 LAUREL	LA	1.01	1.01	103	103	
28 JEFFERSON	LA	1.01	1.01	103	103	
29 SACRAMENTO	CA	1.01	1.01	103	103	
30 PALMACHIN	CA	1.01	1.01	103	103	
31 YERGEN	CA	1.01	1.01	103	103	
32 HENNING	LA	1.01	1.01	103	103	
33 HENNING	LA	1.01	1.01	103	103	
34 HENNING	LA	1.01	1.01	103	103	
35 HENNING	LA	1.01	1.01	103	103	
36 HENNING	LA	1.01	1.01	103	103	
37 HENNING	LA	1.01	1.01	103	103	
38 HENNING	LA	1.01	1.01	103	103	
39 HENNING	LA	1.01	1.01	103	103	
40 HENNING	LA	1.01	1.01	103	103	
41 HENNING	LA	1.01	1.01	103	103	
42 HENNING	LA	1.01	1.01	103	103	
43 HENNING	LA	1.01	1.01	103	103	
44 HENNING	LA	1.01	1.01	103	103	
45 HENNING	LA	1.01	1.01	103	103	
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97 HENNING	LA	1.01	1.01	103	103	
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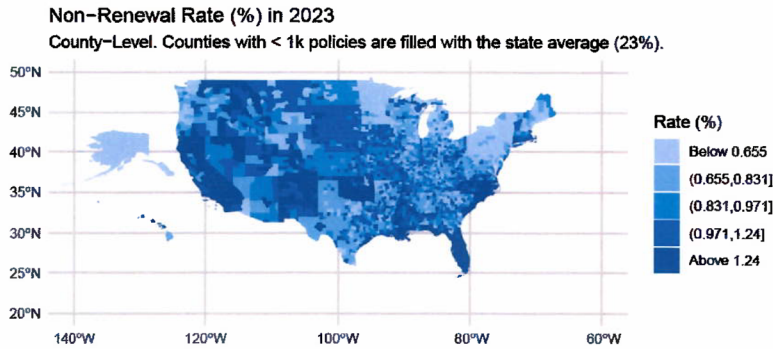
Table 1. 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

Non-renewal rates in 2023 in counties with 1,000 or more policies in force were similar. Coastal and high-risk wildfire counties accounted for 68 of the top 100 counties nationwide and 39 of the top 50, or both. For coastal counties alone, the numbers were 26 of the top 50 and 50 of the top 100 counties.

Table 3: 100 counties with the highest non-renewal rate in 2023 and > 1,000 policies

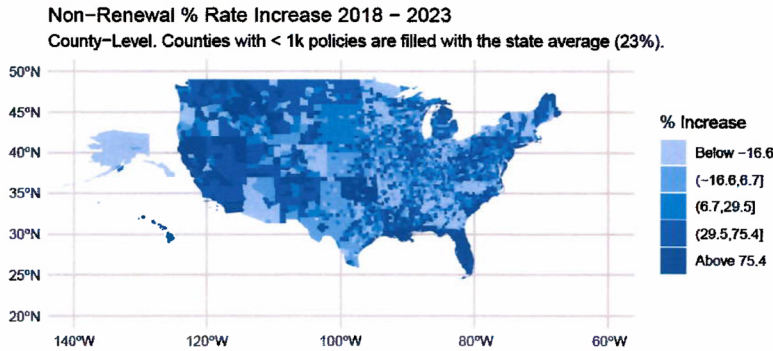
County	State	Non-Renewal %		Annual Prem.		Prev. County
		% 2023	% 2022	2023	2022	
1 CALVERT	MD	1.10	1.25	207	207	
2 LAKE	CA	1.03	1.22	630	630	
3 WYOMING	WY	1.02	1.16	621	621	
4 WYOMING	WY	1.02	1.16	621	621	
5 WYOMING	WY	1.02	1.16	621	621	
6 WYOMING	WY	1.02	1.16	621	621	
7 WYOMING	WY	1.02	1.16	621	621	
8 WYOMING	WY	1.02	1.16	621	621	
9 WYOMING	WY	1.02	1.16	621	621	
10 WYOMING	WY	1.02	1.16	621	621	
11 WYOMING	WY	1.02	1.16	621	621	
12 WYOMING	WY	1.02	1.16	621	621	
13 WYOMING	WY	1.02	1.16	621	621	
14 WYOMING	WY	1.02	1.16	621	621	
15 WYOMING	WY	1.02	1.16	621	621	
16 WYOMING	WY	1.02	1.16	621	621	
17 WYOMING	WY	1.02	1.16	621	621	
18 WYOMING	WY	1.02	1.16	621	621	
19 WYOMING	WY	1.02	1.16	621	621	
20 WYOMING	WY	1.02	1.16	621	621	
21 WYOMING	WY	1.02	1.16	621	621	
22 WYOMING	WY	1.02	1.16	621	621	
23 WYOMING	WY	1.02	1.16	621	621	
24 WYOMING	WY	1.02	1.16	621	621	
25 WYOMING	WY	1.02	1.16	621	621	
26 WYOMING	WY	1.02	1.16	621	621	
27 WYOMING	WY	1.02	1.16	621	621	
28 WYOMING	WY	1.02	1.16	621	621	
29 WYOMING	WY	1.02	1.16	621	621	
30 WYOMING	WY	1.02	1.16	621	621	
31 WYOMING	WY	1.02	1.16	621	621	
32 WYOMING	WY	1.02	1.16	621	621	
33 WYOMING	WY	1.02	1.16	621	621	
34 WYOMING	WY	1.02	1.16	621	621	
35 WYOMING	WY	1.02	1.16	621	621	
36 WYOMING	WY	1.02	1.16	621	621	
37 WYOMING	WY	1.02	1.16	621	621	
38 WYOMING	WY	1.02	1.16	621	621	
39 WYOMING	WY	1.02	1.16	621	621	
40 WYOMING	WY	1.02	1.16	621	621	
41 WYOMING	WY	1.02	1.16	621	621	
42 WYOMING	WY	1.02	1.16	621	621	
43 WYOMING	WY	1.02	1.16	621	621	
44 WYOMING	WY	1.02	1.16	621	621	
45 WYOMING	WY	1.02	1.16	621	621	
46 WYOMING	WY	1.02	1.16	621	621	
47 WYOMING	WY	1.02	1.16	621	621	
48 WYOMING	WY	1.02	1.16	621	621	
49 WYOMING	WY	1.02	1.16	621	621	
50 WYOMING	WY	1.02	1.16	621	621	
51 WYOMING	WY	1.02	1.16	621	621	
52 WYOMING	WY	1.02	1.16	621	621	
53 WYOMING	WY	1.02	1.16	621	621	
54 WYOMING	WY	1.02	1.16	621	621	
55 WYOMING	WY	1.02	1.16	621	621	
56 WYOMING	WY	1.02	1.16	621	621	
57 WYOMING	WY	1.02	1.16	621	621	
58 WYOMING	WY	1.02	1.16	621	621	
59 WYOMING	WY	1.02	1.16	621	621	
60 WYOMING	WY	1.02	1.16	621	621	
61 WYOMING	WY	1.02	1.16	621	621	
62 WYOMING	WY	1.02	1.16	621	621	
63 WYOMING	WY	1.02	1.16	621	621	
64 WYOMING	WY	1.02	1.16	621	621	
65 WYOMING	WY	1.02	1.16	621	621	
66 WYOMING	WY	1.02	1.16	621	621	
67 WYOMING	WY	1.02	1.16	621	621	
68 WYOMING	WY	1.02	1.16	621	621	
69 WYOMING	WY	1.02	1.16	621	621	
70 WYOMING	WY	1.02	1.16	621	621	
71 WYOMING	WY	1.02	1.16	621	621	
72 WYOMING	WY	1.02	1.16	621	621	
73 WYOMING	WY	1.02	1.16	621	621	
74 WYOMING	WY	1.02	1.16	621	621	
75 WYOMING	WY	1.02	1.16	621	621	
76 WYOMING	WY	1.02	1.16	621	621	
77 WYOMING	WY	1.02	1.16	621	621	
78 WYOMING	WY	1.02	1.16	621	621	
79 WYOMING	WY	1.02	1.16	621	621	
80 WYOMING	WY	1.02	1.16	621	621	
81 WYOMING	WY	1.02	1.16	621	621	
82 WYOMING	WY	1.02	1.16	621	621	
83 WYOMING	WY	1.02	1.16	621	621	
84 WYOMING	WY	1.02	1.16	621	621	
85 WYOMING	WY	1.02	1.16	621	621	
86 WYOMING	WY	1.02	1.16	621	621	
87 WYOMING	WY	1.02	1.16	621	621	
88 WYOMING	WY	1.02	1.16	621	621	
89 WYOMING	WY	1.02	1.16	621	621	
90 WYOMING	WY	1.02	1.16	621	621	
91 WYOMING	WY	1.02	1.16	621	621	
92 WYOMING	WY	1.02	1.16	621	621	
93 WYOMING	WY	1.02	1.16	621	621	
94 WYOMING	WY	1.02	1.16	621	621	
95 WYOMING	WY	1.02	1.16	621	621	
96 WYOMING	WY	1.02	1.16	621	621	
97 WYOMING						

those climate risks. This trend was observed for each of the six years of data collected and it became more pronounced over time. For example, nationwide county-level data from 2023 shows higher levels of non-renewals in coastal counties in states such as Louisiana, South Carolina, Virginia, New Jersey, Massachusetts, New York, and Alabama as compared to other counties in those states. Similarly, that same map demonstrates higher rates of non-renewals in counties deemed to be at very high or relatively high wildfire risk by the NRI in, for example, inland California, eastern New Mexico, and Mountain West states.³⁶



Map 4. Non-Renewal Rate (%) in 2023 (County-Level)

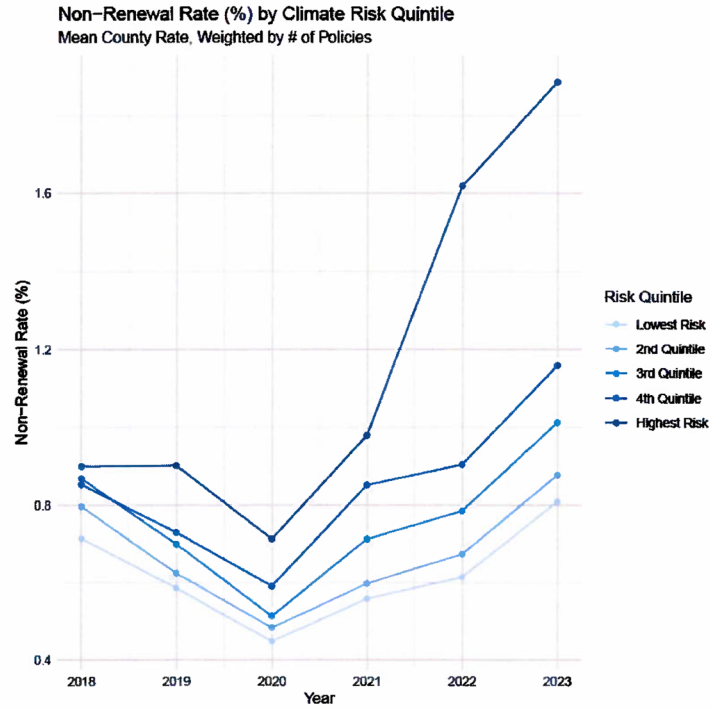
Viewed over the span of time covered by the data collection, the intrastate variation in non-renewal rates is even more pronounced, especially along the Atlantic coast:



Map 5. Non-Renewal % Rate Increase 2018 – 2023 (County Level)

³⁶ See FEMA National Risk Index, *supra* note 35.

No matter how the data is analyzed, the bottom line is unequivocal: across the United States, there is a clear correlation between non-renewal rate and climate risk. Additionally, areas with the highest climate risk also saw the largest increases in non-renewals from 2018 through 2023. In other words, states and counties with greater climate risk also have higher non-renewal rates.



Graph 1. Non-Renewal Rate (%) by Climate Risk Quintile

B. Insurance Availability Concerns Are Already Beginning to Spread Nationwide — And It’s Getting Worse.

Experts estimate that approximately “a tenth of the world’s residential property by value is under threat from global warming — including many houses that are nowhere near the coast.”³⁷ As the Committee’s data show (see Tables 5 & 6), high rates of non-renewals are

³⁷ *The next housing disaster*, The Economist (Apr. 13, 2024), <https://www.economist.com/weeklyedition/2024-04-13>.

already occurring in places such as inland North Carolina, New Mexico, several counties in the Mountain West, the Sierra Nevada, and Oklahoma. Several of these deserve specific mention.

North Carolina has significant coastline. In 2023, it had the third highest non-renewal rate of any state, and in 2018 it was the highest by a significant margin. Indeed, it remained in the top 10 of all states during all six years of the data the Committee collected. North Carolina is not, however, considered a high-risk wildfire state. And yet, in 2023, 13 *inland* North Carolina counties ranked in the top 100 nationwide for highest non-renewal rates among counties with at least 10,000 policies in force. Cumberland, Mecklenburg, Guilford, Union, Alamance, Nash, Bladen, Lenoir, Duplin, Columbus, Robeson, Sampson, and Martin counties — none of which are coastal — saw some of the highest non-renewal rates in the country. These high rates of non-renewals for inland North Carolina counties demonstrate that landfalling hurricanes do damage beyond the immediate coast and can destabilize insurance markets even hundreds of miles inland.

Table 1. 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

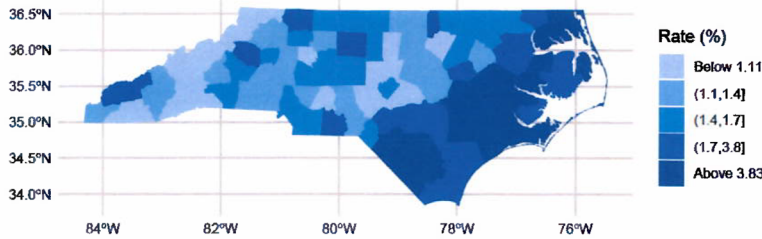
County	State	Non-Renewal % 2018	Non-Renewal % 2023	Annual Prem. 2018	Annual Prem. 2023	Prm. Change 2018 - 2023	
1	LAKE	CA	1.31	2.26	2707	1011	
2	SIERRA	CA	2.23	4.26	2690	1006	
3	BLANKENBURG	VA	0.76	0.39	2023	880	
4	TYLER	TX	1.23	0.8	N/A	N/A	
5	JACKSON	IN	0.37	1.25	4706	1700	
6	TRIMBLE	CA	0.89	1.29	N/A	N/A	
7	HARRISON	MS	0.35	1.11	3706	1711	
8	TRIMBLA	CA	1.28	1.29	N/A	N/A	
9	SIERRA	CA	1.66	4.02	2206	984	
10	CHARLOTTE	FL	0.43	0.92	2006	782	
11	CHARLOTTE	FL	0.35	0.71	3704	1434	
12	DELAWARE	FL	0.41	0.78	3807	1332	
13	CHARLOTTE	FL	0.41	0.78	3807	1332	
14	PIERCE	FL	0.46	0.22	N/A	N/A	
15	BRUNSWICK	FL	0.44	0.48	3382	1492	
16	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
17	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
18	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
19	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
20	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
21	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
22	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
23	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
24	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
25	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
26	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
27	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
28	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
29	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
30	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
31	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
32	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
33	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
34	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
35	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
36	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
37	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
38	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
39	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
40	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
41	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
42	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
43	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
44	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
45	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
46	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
47	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
48	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
49	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
50	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
51	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
52	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
53	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
54	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
55	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
56	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
57	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
58	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
59	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
60	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
61	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
62	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
63	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
64	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
65	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
66	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
67	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
68	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
69	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
70	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
71	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
72	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
73	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
74	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
75	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
76	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
77	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
78	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
79	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
80	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
81	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
82	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
83	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
84	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
85	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
86	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
87	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
88	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
89	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
90	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
91	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
92	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
93	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
94	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
95	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
96	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
97	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
98	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
99	BRUNSWICK	FL	0.46	0.22	N/A	N/A	
100	BRUNSWICK	FL	0.46	0.22	N/A	N/A	

Table 1. 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

Table 2. 100 counties with the highest non-renewal rate in 2023 and > 1,000 policies

County	State	Non-Renewal % 2023	Non-Renewal % 2022	Annual Perm. 2023	Perm. Change 2018-2023
1 CALVERT	MD	11.46	11.21	2517	2517
2 DADE	FL	11.05	11.02	1002	1002
3 CLATSOP	OR	11.01	11.01	1024	1024
4 CHRYSLER	NC	11.0	11.0	2046	2046
5 HIGHLAND	FL	10.91	10.91	2144	2144
6 BRADSHAW	NC	10.81	10.81	1876	1876
7 LAKE	CA	10.81	10.81	2037	2037
8 CUYAHOGA	NC	10.81	10.81	154	154
9 WAYNE	NC	10.81	10.81	2071	2071
10 NANTUCKET	MA	10.72	10.72	1022	1022
11 TRINITY	CA	10.67	10.67	2110	2110
12 GONZALES	NC	10.67	10.67	2229	2229
13 HENRY	FL	10.67	10.67	214	214
14 HARPUR	CA	10.66	10.66	2208	2208
15 HARTFORD	NC	10.64	10.64	2144	2144
16 CALAVERAS	CA	10.64	10.64	1185	1185
17 PEYTON	CA	10.64	10.64	2122	2122
18 NIAGARA	CA	10.64	10.64	2068	2068
19 DENVER	CO	10.64	10.64	1329	1329
20 TULLY	CA	10.64	10.64	1329	1329
21 TULLY	CA	10.64	10.64	1329	1329
22 LEWIS	NC	10.64	10.64	2128	2128
23 LEWIS	NC	10.64	10.64	2128	2128
24 LEWIS	NC	10.64	10.64	2128	2128
25 LEWIS	NC	10.64	10.64	2128	2128
26 LEWIS	NC	10.64	10.64	2128	2128
27 LEWIS	NC	10.64	10.64	2128	2128
28 LEWIS	NC	10.64	10.64	2128	2128
29 LEWIS	NC	10.64	10.64	2128	2128
30 LEWIS	NC	10.64	10.64	2128	2128
31 LEWIS	NC	10.64	10.64	2128	2128
32 LEWIS	NC	10.64	10.64	2128	2128
33 LEWIS	NC	10.64	10.64	2128	2128
34 LEWIS	NC	10.64	10.64	2128	2128
35 LEWIS	NC	10.64	10.64	2128	2128
36 LEWIS	NC	10.64	10.64	2128	2128
37 LEWIS	NC	10.64	10.64	2128	2128
38 LEWIS	NC	10.64	10.64	2128	2128
39 LEWIS	NC	10.64	10.64	2128	2128
40 LEWIS	NC	10.64	10.64	2128	2128
41 LEWIS	NC	10.64	10.64	2128	2128
42 LEWIS	NC	10.64	10.64	2128	2128
43 LEWIS	NC	10.64	10.64	2128	2128
44 LEWIS	NC	10.64	10.64	2128	2128
45 LEWIS	NC	10.64	10.64	2128	2128
46 LEWIS	NC	10.64	10.64	2128	2128
47 LEWIS	NC	10.64	10.64	2128	2128
48 LEWIS	NC	10.64	10.64	2128	2128
49 LEWIS	NC	10.64	10.64	2128	2128
50 LEWIS	NC	10.64	10.64	2128	2128
51 LEWIS	NC	10.64	10.64	2128	2128
52 LEWIS	NC	10.64	10.64	2128	2128
53 LEWIS	NC	10.64	10.64	2128	2128
54 LEWIS	NC	10.64	10.64	2128	2128
55 LEWIS	NC	10.64	10.64	2128	2128
56 LEWIS	NC	10.64	10.64	2128	2128
57 LEWIS	NC	10.64	10.64	2128	2128
58 LEWIS	NC	10.64	10.64	2128	2128
59 LEWIS	NC	10.64	10.64	2128	2128
60 LEWIS	NC	10.64	10.64	2128	2128
61 LEWIS	NC	10.64	10.64	2128	2128
62 LEWIS	NC	10.64	10.64	2128	2128
63 LEWIS	NC	10.64	10.64	2128	2128
64 LEWIS	NC	10.64	10.64	2128	2128
65 LEWIS	NC	10.64	10.64	2128	2128
66 LEWIS	NC	10.64	10.64	2128	2128
67 LEWIS	NC	10.64	10.64	2128	2128
68 LEWIS	NC	10.64	10.64	2128	2128
69 LEWIS	NC	10.64	10.64	2128	2128
70 LEWIS	NC	10.64	10.64	2128	2128
71 LEWIS	NC	10.64	10.64	2128	2128
72 LEWIS	NC	10.64	10.64	2128	2128
73 LEWIS	NC	10.64	10.64	2128	2128
74 LEWIS	NC	10.64	10.64	2128	2128
75 LEWIS	NC	10.64	10.64	2128	2128
76 LEWIS	NC	10.64	10.64	2128	2128
77 LEWIS	NC	10.64	10.64	2128	2128
78 LEWIS	NC	10.64	10.64	2128	2128
79 LEWIS	NC	10.64	10.64	2128	2128
80 LEWIS	NC	10.64	10.64	2128	2128
81 LEWIS	NC	10.64	10.64	2128	2128
82 LEWIS	NC	10.64	10.64	2128	2128
83 LEWIS	NC	10.64	10.64	2128	2128
84 LEWIS	NC	10.64	10.64	2128	2128
85 LEWIS	NC	10.64	10.64	2128	2128
86 LEWIS	NC	10.64	10.64	2128	2128
87 LEWIS	NC	10.64	10.64	2128	2128
88 LEWIS	NC	10.64	10.64	2128	2128
89 LEWIS	NC	10.64	10.64	2128	2128
90 LEWIS	NC	10.64	10.64	2128	2128
91 LEWIS	NC	10.64	10.64	2128	2128
92 LEWIS	NC	10.64	10.64	2128	2128
93 LEWIS	NC	10.64	10.64	2128	2128
94 LEWIS	NC	10.64	10.64	2128	2128
95 LEWIS	NC	10.64	10.64	2128	2128
96 LEWIS	NC	10.64	10.64	2128	2128
97 LEWIS	NC	10.64	10.64	2128	2128
98 LEWIS	NC	10.64	10.64	2128	2128
99 LEWIS	NC	10.64	10.64	2128	2128
100 LEWIS	NC	10.64	10.64	2128	2128

Table 3. 100 counties with the highest non-renewal rate in 2023 and > 1,000 policies
 Non-Renewal Rate (%) in 2023, NC
 County Level. Counties with < 500 policies are filled with the state average (2%).



Map 8.G. Select County-Level State Maps: North Carolina

This finding is of particular concern for two reasons. First, these counties are home to metropolitan areas such as Charlotte, Greensboro, and Fayetteville. An insurance availability crisis that spreads inland will necessarily affect more people than one that remains confined to the immediate coast. Second, Hurricane Helene made landfall nearly a full year after the data covered by the Committee’s investigation, so the destructive potential far inland in a warming world was being recognized even before that storm. With the experience of Hurricane Helene, non-renewal rates in these inland counties will likely continue to rise.

Land-locked Oklahoma has not typically been on the radar of most analyses as a state at high risk of insurance collapse — but it ranked 7 of 10 by non-renewal rate in 2023 and 5th among states with the highest growth in non-renewal rate from 2018 through 2023. High rates of non-renewal in Oklahoma are likely explained by increasing winds and hail from severe convective storms. Although the relationship between a warming planet and the frequency and

intensity of severe convective storms is not fully established, these storms are becoming more violent and widespread in the central United States.³⁸ Oklahoma is also on the frontline of rapidly increasing wildfire risk.³⁹

Table 5: States by Non-Renewal Rate 2023

	State	Non-Renewal % 2018	Non-Renewal % 2023	Non-Renewal Change 2018 - 2023
1	FL	0.79	2.99	2.2
2	LA	0.49	1.8	1.31
3	NC	2.07	1.79	-0.28
4	CA	0.94	1.72	0.77
5	MA	1.18	1.51	0.34
6	MS	0.96	1.49	0.53
7	OK	0.72	1.45	0.73
8	RI	0.69	1.37	0.68
9	CT	0.86	1.34	0.48
10	HI	0.42	1.32	0.9
11	NM	0.97	1.27	0.3
12	DC	0.98	1.24	0.26
13	SC	0.52	1.24	0.71
14	SD	0.88	1.12	0.24
15	IA	0.96	1.06	0.1
16	UT	0.72	1.06	0.34
17	NE	0.88	1.05	0.17
18	MT	0.61	1.02	0.41
19	IN	1	0.98	-0.02
20	TN	0.98	0.96	-0.02
21	VA	0.7	0.96	0.25
22	MO	0.99	0.94	-0.06
23	OH	1.03	0.89	-0.14
24	ID	0.77	0.87	0.1
25	CO	1.1	0.86	-0.24
26	GA	1.16	0.86	-0.3
27	ND	0.64	0.86	0.22
28	KS	0.81	0.85	0.04
29	NV	0.63	0.85	0.21
30	VT	0.7	0.85	0.14
31	WY	0.51	0.84	0.34
32	TX	0.81	0.83	0.02
33	AL	1.01	0.82	-0.19
34	AZ	1.16	0.8	-0.36
35	NJ	0.47	0.8	0.33
36	KY	0.6	0.77	0.17
37	WI	0.81	0.77	-0.04
38	DE	0.62	0.74	0.11
39	WV	0.45	0.74	0.29
40	AR	0.94	0.73	-0.2
41	WA	0.42	0.69	0.27
42	OR	0.83	0.68	-0.15
43	IL	0.54	0.66	0.12
44	MD	0.5	0.65	0.15
45	NH	1.25	0.63	-0.62
46	ME	0.4	0.61	0.2
47	MI	0.46	0.58	0.12
48	NY	0.39	0.57	0.18
49	AK	0.95	0.42	-0.53
50	PA	0.29	0.37	0.09
51	MN	0.58	0.32	-0.26

Table 5. States by Non-Renewal Rate 2023

In 2023, seven Oklahoma counties had some of the highest non-renewal rates nationwide among counties with at least 1,000 policies in force. Two additional counties were also among the top

³⁸ See, e.g., Andreas F. Prein, *Thunderstorm straight line winds intensify with climate change*, NATURE CLIMATE CHANGE 13, 1353–59 (2023), <https://www.nature.com/articles/s41558-023-01852-9>; Evan Bush, *Hailstones may get bigger as the climate warms — bringing higher insurance costs*, NBC News (Sept. 2, 2024), <https://www.nbcnews.com/science/environment/hail-bigger-climate-change-higher-insurance-costs-rcna168526>.

³⁹ Celia Llopis-Jepsen, *Oklahoma may face 30 more days yearly of high wildfire risk as its climate changes*, KOSU NRP (Jan. 8, 2024), <https://www.kosu.org/energy-environment/2024-01-08/oklahoma-may-face-30-more-days-yearly-of-high-wildfire-risk-as-its-climate-changes>.

100 counties nationwide with at least 10,000 policies in force. Among them, Oklahoma County and its nearby counties — all of which were among those with the highest non-renewals nationwide — are home to the Oklahoma City metropolitan area, where over 35% of the state’s population lives.⁴⁰

Table 3. 100 counties with the highest non-renewal rate in 2023 and > 1,000 policies

County	State	Non-Renewal % 2024	Non-Renewal % 2023	Annual Prem. 2023	Prem. Change 2014 - 2023	
1	ALABAMA	FL	0.26	15,223	5017	
2	ALABAMA	NC	1.20	12,292	6460	
3	ALABAMA	MA	0.43	11.4	4033	1987
4	ALABAMA	NC	1.1	9.93	2504	1130
5	ALABAMA	FL	0.41	8.8	2744	1302
6	ALABAMA	NC	0.41	8.38	2486	120
7	ALABAMA	CA	1.34	7.59	2207	1841
8	ALABAMA	NC	2.43	7.41	2011	144
9	ALABAMA	NC	0.42	7.39	2071	603
10	ALABAMA	MA	0.22	7.2	6822	3322
11	ALABAMA	CA	0.87	7.22	2170	1508
12	ALABAMA	NC	1.37	7.08	2447	277
13	ALABAMA	CA	0.80	6.29	2008	1008
14	ALABAMA	CA	0.86	6.27	2044	1008
15	ALABAMA	NC	2.59	6.22	2430	1206
16	ALABAMA	CA	0.86	6.22	2044	1008
17	ALABAMA	CA	1.08	6.17	2022	1706
18	ALABAMA	CA	2.5	6.13	2086	1408
19	ALABAMA	MA	0.75	6.28	3057	840
20	ALABAMA	FL	1.19	6.28	2063	1028
21	ALABAMA	CA	1.23	6.1	N/A	N/A
22	ALABAMA	FL	1.04	6.09	4245	1774
23	ALABAMA	NC	1.76	5.73	2126	234
24	ALABAMA	MS	0.27	5.25	2008	1008
25	ALABAMA	FL	0.27	5.43	4508	1206
26	ALABAMA	CA	2.31	5.42	2943	1892
27	ALABAMA	MA	0.42	5.26	2422	940
28	ALABAMA	CA	0.88	5.29	N/A	N/A
29	ALABAMA	CA	2.28	5.11	2605	1911
30	ALABAMA	NY	2.41	5.08	2664	415
31	ALABAMA	MS	0.58	5.11	2605	1911
32	ALABAMA	NY	3.45	4.82	2305	609
33	ALABAMA	CA	0.83	4.82	2064	1028
34	ALABAMA	FL	0.41	4.82	2064	1028
35	ALABAMA	NC	1.35	4.82	2411	229
36	ALABAMA	FL	0.41	4.76	2067	1031
37	ALABAMA	FL	0.23	4.71	3204	1484
38	ALABAMA	FL	0.52	4.64	2456	1206
39	ALABAMA	FL	0.64	4.49	3281	1489
40	ALABAMA	CA	2.54	4.42	2718	1206
41	ALABAMA	LA	0.25	4.28	5807	1802
42	ALABAMA	LA	1.7	4.28	2464	811
43	ALABAMA	FL	0.36	4.22	N/A	N/A
44	ALABAMA	FL	0.4	4.22	2429	1206
45	ALABAMA	FL	0.12	4.25	8666	3008
46	ALABAMA	NC	2.47	4.25	2846	284
47	ALABAMA	NC	1.84	4.2	2130	134
48	ALABAMA	NC	2.42	4.14	4036	1206
49	ALABAMA	CA	1.11	4.14	2008	641
50	ALABAMA	CA	0.27	4.12	2033	974
51	ALABAMA	FL	0.55	4.12	2863	1342
52	ALABAMA	NY	1.35	4.11	12256	8024
53	ALABAMA	NC	0.75	4.11	1408	609
54	ALABAMA	NC	0.75	4.11	1408	609
55	ALABAMA	VA	0.8	4.08	3100	1489
56	ALABAMA	SC	0.63	4.07	2970	1206
57	ALABAMA	FL	1.03	3.96	2008	1008
58	ALABAMA	LA	0.42	3.98	4263	1706
59	ALABAMA	CA	0.44	3.78	4340	1802
60	ALABAMA	NC	0.44	3.78	4340	1802
61	ALABAMA	NY	0.2	3.71	2142	916
62	ALABAMA	NY	0.25	3.74	4762	2028
63	ALABAMA	FL	0.4	3.7	4076	1802
64	ALABAMA	FL	0.53	3.68	4803	2040
65	ALABAMA	LA	0.24	3.64	3022	1140
66	ALABAMA	LA	0.28	3.61	2175	1724
67	ALABAMA	LA	0.28	3.58	4263	1802
68	ALABAMA	FL	0.4	3.5	4200	1802
69	ALABAMA	FL	0.6	3.44	4263	1802
70	ALABAMA	CA	0.62	3.44	2843	774
71	ALABAMA	CA	0.28	3.28	2022	1022
72	ALABAMA	NC	1.28	3.27	2022	1022
73	ALABAMA	CA	0.68	3.25	3004	980
74	ALABAMA	TX	0.52	3.24	3257	80
75	ALABAMA	FL	2.07	3.23	4047	3464
76	ALABAMA	CA	0.6	3.23	N/A	N/A
77	ALABAMA	CA	1.09	3.21	1982	N/A
78	ALABAMA	TX	1.04	3.21	1808	N/A
79	ALABAMA	CA	1.51	3.18	2772	903
80	ALABAMA	TX	0.57	3.18	2142	N/A
81	ALABAMA	NC	1.82	3.14	2008	346
82	ALABAMA	CA	0.67	3.11	1808	346
83	ALABAMA	FL	1.46	3.09	3802	1802
84	ALABAMA	FL	0.58	2.98	2543	1008
85	ALABAMA	CA	0.52	2.98	3802	1802
86	ALABAMA	CA	0.79	2.88	2314	603
87	ALABAMA	TX	0.89	2.87	1942	607
88	ALABAMA	TX	0.41	2.87	N/A	N/A
89	ALABAMA	TX	0.83	2.87	2003	789
90	ALABAMA	CA	0.99	2.85	1947	603
91	ALABAMA	CA	1.43	2.83	1943	603
92	ALABAMA	CA	1.86	2.81	2300	603
93	ALABAMA	TX	1.54	2.8	2400	603
94	ALABAMA	TX	1.4	2.8	2400	603
95	ALABAMA	NC	1.52	2.77	2344	643
96	ALABAMA	NC	1.42	2.75	2202	603
97	ALABAMA	CA	0.86	2.72	2020	3066
98	ALABAMA	CA	0.89	2.7	2100	1127
99	ALABAMA	CA	0.82	2.68	2492	1800
100	ALABAMA	TX	0.76	2.63	2857	1004

Table 3. 100 counties with the highest non-renewal rate in 2023 and > 1,000 policies

⁴⁰ Oklahoma City, OK Metro Area, Census Reporter, <https://censusreporter.org/profiles/31000US36420-oklahoma-city-ok-metro-area/> (last visited Dec. 17, 2024); Oklahoma, Census Reporter, <https://censusreporter.org/profiles/04000US40-oklahoma/> (last visited Dec. 17, 2024).

Table 1. 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

County	State	Non-Renewal % 2018	Non-Renewal % 2023	Annual Prem. 2023	Prem. Change 2018 - 2023	
1	LAKE	CA	1.21	7.56	2307	1641
2	NEVADA	CA	2.3	6.54	2069	1806
3	BLANCKENHAFLE	MA	0.75	1.39	2017	885
4	TULACHE	CA	7.33	6.1	N/A	N/A
5	LICKING	OH	1.27	5.26	1985	1265
6	TERRELL	CA	0.89	3.26	1981	N/A
7	HARRISON	MS	0.25	5.11	2465	811
8	LEONARD	CA	2.26	5.01	N/A	N/A
9	SIANTA	CA	1.25	4.67	2728	104
10	COLLES	FL	0.52	1.92	1666	297
11	INDIANLIVER	FL	0.41	4.79	2967	1115
12	CHRYSTIE	FL	0.53	4.71	2534	1421
13	BREVARD	FL	0.26	4.48	2582	1462
14	PERA	FL	0.56	4.22	N/A	N/A
15	ARAB-BADAC	FL	1.6	4.29	6728	1976
16	OSBORNE	NC	2.47	4.25	2645	526
17	PITTS	NC	1.94	4.2	2130	424
18	SPRINGWOOD	NC	0.67	4.15	2633	1712
19	FLORIDA	FL	0.66	4.12	2965	1312
20	NEWYORK	NY	1.25	4.11	12259	6623
21	SEAFOOT	NC	0.22	4.11	2485	124
22	FRANKLINTON	NC	0.43	3.97	3876	829
23	OKMOLA	FL	1.02	3.95	3055	1722
24	ORLEANS	LA	0.44	3.79	6138	1462
25	POPLAR	FL	0.4	3.7	6070	1451
26	MARTIN	FL	0.23	3.68	3482	2580
27	LAFAYETTE	LA	0.26	3.64	2382	1122
28	ZOFFERSON	LA	0.39	3.64	4715	1724
29	SARASOTA	FL	0.4	3.64	2482	1272
30	FALMOUTH	LA	0.18	3.64	3788	272
31	TERREBONNE	LA	0.18	3.59	3936	1122
32	BRUNSWICK	FL	1.07	3.54	2964	1964
33	BUTTE	CA	1.09	3.54	1962	N/A
34	MAYHEW	FL	0.4	3.48	3112	N/A
35	NEWLANDER	NC	1.62	3.14	2548	948
36	WALTON	FL	1.29	2.99	4203	1922
37	HERNANDO	FL	0.28	2.94	2248	1010
38	MARION	CA	0.69	2.92	1847	1461
39	WALDO	FL	0.89	2.89	2207	1310
40	WALTON	FL	0.89	2.89	2036	1022
41	WALTON	FL	0.89	2.89	2036	1022
42	LET	FL	0.39	2.83	4036	489
43	BRANDENBURGH	FL	0.7	2.82	2126	1144
44	CUMBERLAND	OK	1.69	2.42	3871	231
45	STAVICE	FL	0.17	2.42	2734	1726
46	TANGIPAHIA	LA	0.21	2.4	2575	991
47	ANDERSON	GA	1.18	2.34	1544	665
48	ST. JOHNS	FL	0.29	2.36	3479	1310
49	WALTON	CA	1.14	2.22	1146	289
50	HILLSBOROUGH	NC	1.29	2.22	3276	705
51	DOUGLASS	NC	0.51	2.22	N/A	N/A
52	ORANGE	FL	0.91	2.3	3487	1478
53	RIVERSIDE	CA	1.3	2.29	1957	343
54	CUMBERLAND	NC	2.26	2.29	2029	546
55	FLACK	CA	1.16	2.19	2113	533
56	UTTER	FL	0.45	2.17	2793	1272
57	HAMPTON	VA	1.26	2.17	1667	624
58	SANDHOG	CA	1.11	2.16	3289	726
59	GEORGETOWN	SC	0.43	2.16	2741	1216
60	ESCAMBA	FL	0.76	2.12	3773	1682
61	NEWBERG	VA	1.15	2.11	2313	122
62	SANTA FE	CA	0.47	2.03	2703	714
63	NEWPORT	RI	0.47	2.03	3259	822
64	SANDERLAND	CA	1.21	2.03	N/A	N/A
65	LAKE	FL	0.31	2.01	N/A	N/A
66	YERGEN	CA	1.3	2	1843	394
67	ASCENSION	LA	0.39	2	2531	219
68	WYCHITTE	SC	0.64	2	2625	297
69	OKALOOSA	FL	0.59	1.98	2867	1729
70	SEMINOLE	FL	1	1.94	3443	1597
71	STAMMANN	LA	0.29	1.94	4546	2222
72	YONKERS	FL	0.79	1.93	2961	1287
73	SANTAROSA	FL	0.89	1.93	2629	1614
74	WINDHOLLY	CA	0.81	1.93	1673	1287
75	INDIAN	FL	0.75	1.93	2689	1614
76	LAUREL	CA	0.7	1.84	3067	1130
77	LAUREL	CA	0.65	1.84	2739	626
78	EASTHATTON	GA	0.7	1.84	3445	719
79	CHILMARK	NC	0.29	1.84	262	282
80	CHILMARK	NC	0.29	1.84	262	282
81	VERMONT	VA	0.49	1.72	262	282
82	MARION	FL	0.49	1.71	2445	1129
83	ALABAMA	NC	1.02	1.68	1443	366
84	MCQUEENBURG	NC	2.57	1.68	1864	496
85	ROCKWELL	GA	1.49	1.67	3024	251
86	ALACHUA	FL	0.29	1.65	2662	1099
87	FALMOUTH	MA	1.29	1.63	2996	N/A
88	LIVINGSTON	LA	0.42	1.62	2545	781
89	FALMOUTH	CT	1.91	1.56	3467	1181
90	LAUREL	MD	1.14	1.56	N/A	N/A
91	HOUSTON	SC	0.46	1.56	2421	546
92	MUSKOGEE	CA	1.6	1.56	2127	274
93	UNION	NC	2.14	1.56	1926	329
94	NEEDHAM	CT	0.22	1.57	2172	244
95	ESSEX	MA	1.19	1.56	2439	538
96	FRENCH	CA	0.29	1.54	N/A	N/A
97	HENRY	GA	1.49	1.54	2782	217
98	BONAPARTE	TX	0.29	1.52	3286	1110
99	SANJACQUIN	CA	0.9	1.52	N/A	N/A
100	WYCHITTE	NC	1.72	1.52	2292	464

Table 1. 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

Comparing non-renewal rate data in 2023 to growth in non-renewals from 2018 through 2023 reveals areas where insurance unavailability has skyrocketed rapidly and recently. In Rhode Island, which has more than 400 miles of coastline, coastal Newport County is among those with the highest non-renewals in 2023 for counties with 10,000 policies or more and those with the highest growth in non-renewal rates over the six-year period on which the Committee collected data. It ranks 36th overall by non-renewal rate change from 2018 through 2023, bringing it to the 63rd spot overall on the 2023 list.

Notably, this story rings true in many geographies throughout the United States (10,000 policies or more). New York County (Manhattan), NY, ranked 19th in rate change and 20th overall; Berkeley County, SC ranked 33rd in rate change and 51st in 2023; Summit County, UT ranked 35th in rate change and 40th in 2023; Oklahoma, OK, ranked 48th in rate change and 79th in 2023; Eagle County, CO, ranked 56th in rate change and 77th in 2023; and Fairfield County, CT, ranked 77th in rate change and 89th in 2023.

Table 2. 100 counties with the highest non-renewal rate change 2018 - 2023 and > 10,000 policies

County	State	Non-Renewal Change 2018 -	Non-Renewal % 2018	Non-Renewal % 2023	From 2018 - 2023
1 LAKE	CA	6.25	1.21	7.56	1041
2 JACKSON	MS	5.25	0.52	5.76	1200
3 HARRISON	MS	4.77	0.33	5.11	911
4 COLLEGE	FL	4.26	0.53	4.92	2307
5 NEVADA	CA	4.25	2.3	1.86	1886
6 BRAY POLE	NC	3.99	0.22	4.11	752
7 SHALFA	CA	3.98	1.05	4.92	994
8 BREYFAD	FL	3.64	0.64	4.28	1027
9 POLA	FL	3.74	0.66	4.22	914
10 FLORENCE	SC	3.72	0.46	4.12	1292
11 CHARLESTON	SC	3.52	0.45	3.97	985
12 ORLEANS	LA	3.52	0.44	3.75	1460
13 PENNSILVANIA	PA	3.5	0.4	3.7	1461
14 MENDOCINO	CA	3.28	0.87	4.12	921
15 JEFFERSON	LA	3.26	0.62	3.91	824
16 TERRYBORNE	LA	3.11	0.88	3.29	1022
17 SAKONYA	FL	3.1	0.4	3.5	1272
18 OSCEOLA	FL	3.04	1.03	4.06	1026
19 NEWRYNE	NC	2.97	0.99	4.01	900
20 MANATEE	FL	2.71	2.4	NA	NA
21 FLORENCE	CA	2.71	2.39	0.4	79
22 MILWAUKEE	FL	2.69	3.8	4.29	1076
23 PALMERBACH	FL	2.64	0.46	3.44	2762
24 DEWAND	FL	2.56	0.36	3.06	1010
25 HAY	CA	2.44	0.84	2.44	74
26 JAY	FL	2.15	0.28	2.59	1490
27 FANGPADOA	LA	2.02	0.31	2.4	581
28 PANDY	FL	2.06	0.26	2.59	1716
29 ST. JOHNS	FL	1.97	0.39	2.36	1218
30 MADRID	CA	1.96	0.99	3.95	452
31 BELLEVUE	FL	1.84	0.17	2.41	1706
32 HILLSBOROUGH	FL	1.82	0.17	3.22	1450
33 BEEBEE	FL	1.8	0.31	2.01	NA
34 ST. TAMM	FL	1.71	0.33	2.21	NA
35 ST. TAMM	FL	1.71	0.33	2.21	NA
36 ST. TAMM	FL	1.71	0.33	2.21	NA
37 ST. TAMM	FL	1.71	0.33	2.21	NA
38 ASHBY	LA	1.61	0.29	2.22	2702
39 SASTON	CA	1.61	0.47	2.22	719
40 BUTTE	CA	1.58	1.89	3.23	914
41 NEWLANDER	NC	1.52	1.82	2.44	248
42 DEWINTER	SC	1.48	0.44	2.1	267
43 SCOTTS	FL	1.42	0.11	1.63	NA
44 ORANGE	FL	1.39	0.49	2.3	1478
45 BROWARD	FL	1.26	0.78	2.17	1852
46 HUMBOLDT	CA	1.29	0.41	1.9	414
47 HUMBOLDT	CA	1.25	0.78	2.08	2484
48 OKLAHOMA	OK	1.22	0.19	1.99	719
49 HUMBOLDT	CA	1.22	1.48	1.66	625
50 HUMBOLDT	CA	1.21	0.49	1.71	1120
51 LIVINGSTON	LA	1.21	0.42	1.63	758
52 EASTBATONBOUGE	LA	1.18	0.68	1.54	605
53 DUVAL	FL	1.17	0.73	1.3	1234
54 VOLUNTA	FL	1.15	0.78	1.03	1207
55 HONGKULLU	HI	1.15	0.39	1.53	1110
56 HAGER	MD	1.14	0.81	0.81	1139
57 ALACHUA	FL	1.14	0.44	1.05	865
58 BERRY	SC	1.14	0.46	1.09	865
59 ALACHUA	FL	1.14	0.44	1.05	1056
60 SAN DIEGO	CA	1.05	1.11	2.19	758
61 WASHINGTON	HI	1.05	0.27	1.42	125
62 FLAFLIP	CA	1.04	1.19	2.19	523
63 WASHINGTON	VA	1.04	0.69	1.73	963
64 RIVERVIEW	CA	1.03	0.9	1.83	466
65 RIVERVIEW	CA	1.03	1.5	2.59	243
66 CAPTIVAY	NJ	0.97	0.46	1.45	281
67 NORFOLK	VA	0.96	1.19	2.11	429
68 SEMINOLE	FL	0.96	1.29	1.84	1897
69 BROWN PCK	NC	0.94	0.29	2.52	795
70 MAH	HI	0.93	0.5	1.43	865
71 KING	CA	0.92	0.33	1.43	786
72 NAPA	CA	0.92	0.33	1.43	786
73 HAMPTON	VA	0.9	0.6	1.48	268
74 OK	OK	0.89	0.07	1.26	771
75 FLAFLIP	CA	0.81	1.26	2.17	651
76 FLAFLIP	CA	0.81	1.26	2.17	651
77 FREDSON	FL	0.79	0.71	1.51	1030
78 FREDSON	CA	0.79	0.75	1.54	868
79 FREDSON	CA	0.77	0.83	1.56	1180
80 SAN JAVIERE	LA	0.77	0.42	1.19	269
81 SAN JAVIERE	CA	0.71	0.9	1.52	NA
82 SAN JAVIERE	CA	0.71	0.68	1.39	NA
83 SAN JAVIERE	CA	0.7	1.3	2.2	194
84 SAN JAVIERE	CA	0.7	1.41	2.01	NA
85 SAN JAVIERE	CA	0.68	0.83	1.5	380
86 SAN JAVIERE	CA	0.68	0.83	1.5	380
87 SAN JAVIERE	CA	0.68	0.83	1.5	380
88 SAN JAVIERE	CA	0.68	0.83	1.5	380
89 SAN JAVIERE	CA	0.68	0.83	1.5	380
90 SAN JAVIERE	CA	0.68	0.83	1.5	380
91 SAN JAVIERE	CA	0.68	0.83	1.5	380
92 SAN JAVIERE	CA	0.68	0.83	1.5	380
93 SAN JAVIERE	CA	0.68	0.83	1.5	380
94 SAN JAVIERE	CA	0.68	0.83	1.5	380
95 SAN JAVIERE	CA	0.68	0.83	1.5	380
96 SAN JAVIERE	CA	0.68	0.83	1.5	380
97 SAN JAVIERE	CA	0.68	0.83	1.5	380
98 SAN JAVIERE	CA	0.68	0.83	1.5	380
99 SAN JAVIERE	CA	0.68	0.83	1.5	380
100 ALAMEDA	CA	0.57	0.59	1.6	279

Table 2. 100 counties with the highest non-renewal rate change 2018 – 2023 and > 10,000 policies

This is also true for many states at the state level. Florida and Louisiana — the top two states by non-renewal rate in 2023 — also experienced 280% and 267% increases, respectively, in non-renewal rate percent change from 2018 – 2023. Hawaii, which rounded out the top 10 in 2023, experienced a 216% rate percent change over that same period; South Carolina, just outside the top 10 for 2023 non-renewal rate, jumped 136%; and Oklahoma, which ranked 7th by 2023 non-renewal rate, experienced a 102% increase.

Table 7: States by Non-Renewal Rate Percent Change 2018 - 2023

State	Non-Renewal % 2018	Non-Renewal % 2023	Non-Renewal Percent Change 2018 - 2023
1 FL	0.79	2.90	279.97
2 LA	0.49	1.8	267.17
3 HI	0.42	1.32	215.83
4 SC	0.52	1.24	136
5 OK	0.72	1.45	102.82
6 RI	0.69	1.37	99.79
7 CA	0.94	1.72	81.90
8 NJ	0.47	0.8	69.54
9 MT	0.61	1.02	67.42
10 WY	0.51	0.94	66.67
11 WV	0.45	0.74	63.06
12 WA	0.42	0.69	64.56
13 CT	0.86	1.34	55.67
14 MS	0.96	1.49	55.63
15 ME	0.4	0.61	51.05
16 UT	0.72	1.06	46.87
17 NY	0.39	0.57	46.84
18 VA	0.7	0.96	35.81
19 ND	0.64	0.86	34.16
20 NV	0.63	0.85	33.77
21 NM	0.97	1.27	31.38
22 PA	0.29	0.37	29.77
23 MD	0.5	0.65	29.7
24 KY	0.6	0.77	29.26
25 MA	1.18	1.51	28.73
26 SD	0.88	1.12	26.74
27 DC	0.98	1.24	26.45
28 MI	0.46	0.58	26.25
29 IL	0.54	0.66	22.91
30 VT	0.7	0.85	20.50
31 NE	0.88	1.05	19.51
32 DE	0.62	0.74	18.13
33 ID	0.77	0.87	13.22
34 IA	0.96	1.06	10.24
35 KS	0.81	0.85	5.42
36 TX	0.81	0.83	1.96
37 IN	1	0.98	-1.81
38 TN	0.98	0.96	-2.68
39 WI	0.81	0.77	-5.13
40 MO	0.99	0.94	-5.76
41 NC	2.07	1.79	-13.6
42 OH	1.03	0.89	-13.77
43 OR	0.83	0.68	-18.13
44 AL	1.01	0.82	-18.98
45 CO	1.1	0.86	-21.5
46 AR	0.94	0.73	-21.86
47 GA	1.16	0.86	-25.5
48 AZ	1.15	0.8	-31.06
49 MN	0.58	0.32	-44.1
50 NH	1.25	0.63	-49.56
51 AK	0.95	0.42	-55.76

Table 7. States by Non-Renewal Rate Change 2018 – 2023 (Percentage Rate Increase)

Another interesting data point demonstrates that, within states, non-renewals can spill over beyond known high-risk counties. The top 100 counties with the highest growth in non-renewal rates from 2018 to 2023 (10,000 policies or more in force) include a number of such counties. California has known high-risk coastal and wildfire counties, but several counties that are neither on the coast, nor on NRI’s list of high or relatively high-risk wildfire counties, nevertheless appear in the top 100 major counties (10,000 policies or more) with the highest 2018-2023 growth in non-renewal rates. These include Napa, Kings, San Joaquin, and Stanislaus counties.

Table 2. 100 counties with the highest non-renewal rate change 2018 – 2023 and > 10,000 policies

County	State	Non-Renewal Change 2018 - 2023	Non-Renewal % 2018	Non-Renewal % 2023	Prev. Change 2018 - 2021
1 LAKE CA 6.32 1.39 7.56 1341					
2 JACKSON MS 4.25 0.29 4.54 1395					
3 HARRISON MS 4.77 0.26 5.03 911					
4 COLLIER FL 4.30 0.53 4.82 3042					
5 NEVADA CA 4.32 2.3 6.23 1088					
6 BRADFORD CA 4.08 0.23 4.31 112					
7 SHERIDAN CA 3.96 1.05 5.02 264					
8 BREKIDAD FL 3.84 0.64 4.48 1482					
9 POLK FL 3.74 0.36 4.10 84					
10 FLAGLER FL 3.27 0.58 3.85 1342					
11 CHARLESTON SC 3.22 0.43 3.65 197					
12 GRIFFIN GA 3.34 0.44 3.78 1863					
13 FORTALLAS TX 3.13 0.4 3.53 1493					
14 HENDERSON CA 3.26 0.57 3.82 974					
15 JOHNSON IA 3.11 0.26 3.37 1724					
16 TARRANTONNE LA 3.11 0.29 3.39 1372					
17 GARLANDIA FL 3.11 0.13 3.24 1172					
18 OKMOLA FL 3.03 0.03 3.06 184					
19 NEW YORK NY 2.87 1.23 4.11 1302					
20 ELGORDIA NC 2.77 0.17 2.94 84					
21 MILWAUKEE WI 2.69 1.6 4.29 375					
22 PALMIRACI FL 2.64 0.6 3.24 272					
24 HERRINGTON FL 2.56 0.36 2.92 1090					
25 PITT MI 2.26 1.94 4.2 624					
26 TANGIPAROA LA 2.09 0.11 2.2 301					
27 FAYO FL 1.95 0.56 2.51 1116					
28 HAWKINS FL 1.97 0.36 2.33 1146					
29 MADISON CA 1.96 0.39 2.35 106					
31 STURGEON MT 1.84 0.27 2.11 84					
32 HILLSBOROUGH FL 1.82 0.7 2.52 1444					
33 HENRY GA 1.81 0.41 2.22 1022					
34 LAKE FL 1.71 0.33 2.04 84					
35 STURGEON MT 1.71 0.05 1.76 1022					
36 NEWPORT MI 1.66 0.37 2.03 827					
37 ST. SAMUEL LA 1.62 0.32 1.94 1022					
38 ALEXANDER IA 1.61 0.39 2.03 710					
39 GASTON NC 1.52 0.27 1.79 714					
40 BUTTE FL 1.52 0.27 1.79 714					
41 NEWBURN NC 1.52 0.27 1.79 714					
42 DORCHESTER SC 1.42 0.34 1.76 84					
43 BUTTE FL 1.42 0.1 1.52 84					
44 ORANGE FL 1.38 0.81 2.19 1070					
45 SCAMMIA FL 1.36 0.76 2.12 1070					
46 HUNTERD CA 1.33 0.44 1.77 414					
47 HENRIETTA FL 1.33 0.17 1.5 264					
48 HENRIETTA FL 1.33 0.17 1.5 264					
49 HENRIETTA FL 1.33 0.17 1.5 264					
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98 HENRIETTA FL 1.33 0.17 1.5 264					
99 HENRIETTA FL 1.33 0.17 1.5 264					
100 HENRIETTA FL 1.33 0.17 1.5 264					

62 EASTHATONBOUCE LA 1.16 0.66 1.82 606
63 DIXON FL 1.17 0.72 1.89 1110
64 VOLUNIA FL 1.17 0.76 1.93 1267
65 HONOLULU HI 1.15 0.39 1.54 1110
66 EAGLE CO CO 1.14 0.37 1.51 1110
67 WINDY SC 1.14 0.36 1.50 84
68 ALATHIA FL 1.11 0.54 1.65 1008
69 SANDRIDGE CA 1.05 1.11 2.16 78
70 WASHINGTON HI 1.05 0.27 1.32 142
71 PLACER CA 1.04 1.16 2.20 142
72 VIRGINIAARACH VA 1.04 0.69 1.73 542
73 VIRGINIAARACH VA 1.04 0.9 1.92 498
74 VIRGINIAARACH VA 1.04 0.9 1.92 498
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Table 2. 100 counties with the highest non-renewal rate change 2018 – 2023 and > 10,000 policies

Even counties not yet considered to be at significant climate risk are beginning to experience significant insurance non-renewal risk, likely because insurance availability is at risk in proximate counties.

Across the country, growth in non-renewal rates—even where absolute non-renewals are relatively low—may indicate areas where the next dominoes are beginning to fall. For example, counties in coastal New Jersey and counties in Montana, where wildfire risk is increasing, were not among the counties ranked in the top 100 by non-renewal rate in 2023. But on the list of 100 counties with the highest non-renewal rate change from 2018 to 2023 (10,000 policies or more in force), there appear several major counties with alarming growth in non-renewal rates, ranking them among the top 100 nationwide for non-renewal rate increase. Furthermore, these county-level changes appear to have helped propel the two states themselves, with New Jersey ranking 8th by non-renewal rate percent change (compared to 35th by non-renewal percentage in 2023) and Montana ranking 9th by non-renewal rate change (compared to 18th by non-renewal percentage in 2023).

Table 2. 100 counties with the highest non-renewal rate change 2018 - 2023 and > 10,000 policies									
County	State	2018		2023		2018 - 2023	Prem. Change	2018 - 2023	Prem. Change
		Non-Renewal	% 2018	Non-Renewal	% 2023				
1 LAKE	CA	4.37	1.21	7.56	1041				
2 JACKSON	MS	3.22	0.22	1.15	1265				
3 HARRISON	MS	4.77	0.25	8.11	914				
4 COLLIER	FL	1.30	0.23	4.87	1047				
5 NEVADA	CA	2.22	2.2	8.11	1265				
6 DEVALDST	CA	3.00	0.22	8.11	1265				
7 SHERA	CA	3.00	0.22	4.87	294				
8 BRAYARD	IL	3.94	0.64	4.48	1492				
9 POLY	FL	1.74	0.24	4.27	74				
10 FLAGLER	FL	3.17	0.54	4.12	1542				
11 CHARLESTON	SC	3.12	0.45	3.87	526				
12 ORLEANS	LA	3.34	0.44	3.79	1463				
13 PINELLAS	FL	3.1	0.4	3.17	1491				
14 MENDOCINO	CA	3.35	0.37	4.12	874				
15 JEFFERSON	LA	3.13	0.26	3.81	1721				
16 TROBESIANE	LA	3.11	0.27	3.29	1522				
17 SANGRA	CA	3.11	0.23	3.56	1145				
18 OKOLA	CA	2.68	0.28	3.86	280				
19 NEWYORK	NY	2.87	0.15	6.02	141				
20 MARSHALL	FL	2.77	0.4	3.46	74				
21 GILFORD	CA	2.25	2.29	3.81	74				
22 MARIETTA	FL	2.02	1.8	6.28	1025				
23 PALMER	FL	2.84	0.8	3.44	2750				
24 HERNANDO	FL	3.06	0.48	3.84	849				
25 PIET	NY	2.26	1.94	4.7	434				
26 FL	FL	3.11	0.28	2.54	1660				
27 TANGIPAROA	LA	2.09	0.21	2.4	961				
28 PASADENA	FL	3.05	0.26	3.56	1145				
29 MADISON	CA	1.86	0.99	2.76	425				
30 STANCO	FL	1.64	0.27	2.41	1706				
31 HILLSBOROUGH	FL	1.87	0.71	2.32	1444				
32 SPARKLEY	SC	1.8	0.21	2.31	74				
34 LAKE	FL	1.71	0.21	2.88	74				
35 SCHULTZ	FL	1.71	0.21	2.88	1253				
36 NEWPORT	HI	1.80	0.27	2.03	322				
37 STAMFORD	LA	1.87	0.22	1.94	252				
38 SANTEFE	CA	1.26	0.47	2.05	74				
39 BUCK	CA	1.12	1.83	2.4	74				
40 NICHOLSON	SC	1.12	1.42	2.14	314				
42 NEWPORT	SC	1.46	0.24	2.1	27				
43 SUMNER	FL	1.42	0.1	1.51	74				
44 ORANGE	FL	1.39	0.21	1.23	1275				
45 ESCAMBIA	FL	1.36	0.76	2.12	1022				
46 HUNTER	FL	1.39	0.22	1.2	84				
47 HERRING	FL	1.39	0.22	1.2	264				
48 OKLAHOMA	OK	1.22	0.19	1.24	719				
49 KOSCIUSKO	MS	1.18	1.18	1.18	46				
50 MARKIN	FL	1.21	0.49	1.21	1123				
51 LIVINGSTON	LA	1.21	0.42	1.82	75				
52 EASTTAYLOR	MS	1.19	0.96	1.84	655				
53 DETAIL	FL	1.17	0.73	1.8	124				
54 VOLUCHA	FL	1.19	0.78	1.53	1267				
55 BRANFLET	HI	1.19	0.29	1.58	1110				
56 BAKER	CO	1.11	0.78	1.84	318				
57 HANCOCK	SC	1.11	0.36	1.58	465				
58 ALABAMA	AL	1.11	0.34	1.85	1020				
59 SANDHOG	CA	1.05	1.21	1.22	228				
60 WASHINGTON	HI	1.05	1.21	1.22	228				
61 PLACER	CA	1.04	1.16	1.22	523				
62 VICTORVILLE	CA	1.04	0.80	1.22	622				
63 VICTORIA	CA	1.03	0.5	1.03	486				
64 BOSTON	MA	0.99	1.2	1.21	25				
65 CANTON	MA	0.97	0.48	1.01	251				
66 NEWPORT	MA	0.96	1.45	1.14	626				
67 BERNHOLE	FL	0.96	1	1.64	1597				
68 BRUNSWICK	NC	0.94	1.29	1.64	225				
69 MAIT	HI	0.93	0.2	1.43	886				
70 MAUI	CA	0.92	0.51	1.43	726				
71 MAUI	CA	0.92	0.51	1.43	726				
72 CANADIAN	OK	0.89	1.27	1.27	421				
73 HAMPTON	VA	0.81	1.26	1.27	421				
74 CLAY	FL	0.8	0.48	1.27	1020				
75 PLATON	MS	0.86	0.71	1.09	399				
76 FRESNO	CA	0.78	0.73	1.34	74				
77 SANJOAQUIN	CA	0.77	0.81	1.28	1162				
78 LAFALETTE	LA	0.77	0.42	1.19	298				
79 SANJOAQUIN	CA	0.77	0.81	1.22	74				
80 SONOMA	CA	0.71	0.68	1.26	74				
81 KERN	CA	0.7	1.2	1.2	194				
82 SANBENARDINO	CA	0.7	1.21	2.09	74				
83 SANBENARDINO	CA	0.69	0.52	1.2	920				
84 NEWELL	NY	0.69	0.26	1.61	779				
85 CALVERTON	TX	0.69	0.29	1.47	426				
86 NEWELL	NY	0.69	0.26	1.25	427				
87 CLEVELAND	OK	0.66	0.83	1.27	611				
88 NEWHAVEN	CT	0.65	0.53	1.27	521				
89 NEWHAVEN	CT	0.65	0.53	1.27	521				
90 NEWHAVEN	CT	0.64	0.69	1.27	521				
91 NEWHAVEN	CT	0.64	0.64	1.27	521				
92 NEWHAVEN	CT	0.64	0.64	1.27	521				
93 NEWHAVEN	CT	0.64	0.64	1.27	521				
94 NEWHAVEN	CT	0.64	0.64	1.27	521				
95 NEWHAVEN	CT	0.64	0.64	1.27	521				
96 NEWHAVEN	CT	0.64	0.64	1.27	521				
97 NEWHAVEN	CT	0.64	0.64	1.27	521				
98 NEWHAVEN	CT	0.64	0.64	1.27	521				
99 NEWHAVEN	CT	0.64	0.64	1.27	521				
100 NEWHAVEN	CT	0.64	0.64	1.27	521				

Table 2. 100 counties with the highest non-renewal rate change 2018 – 2023 and > 10,000 policies

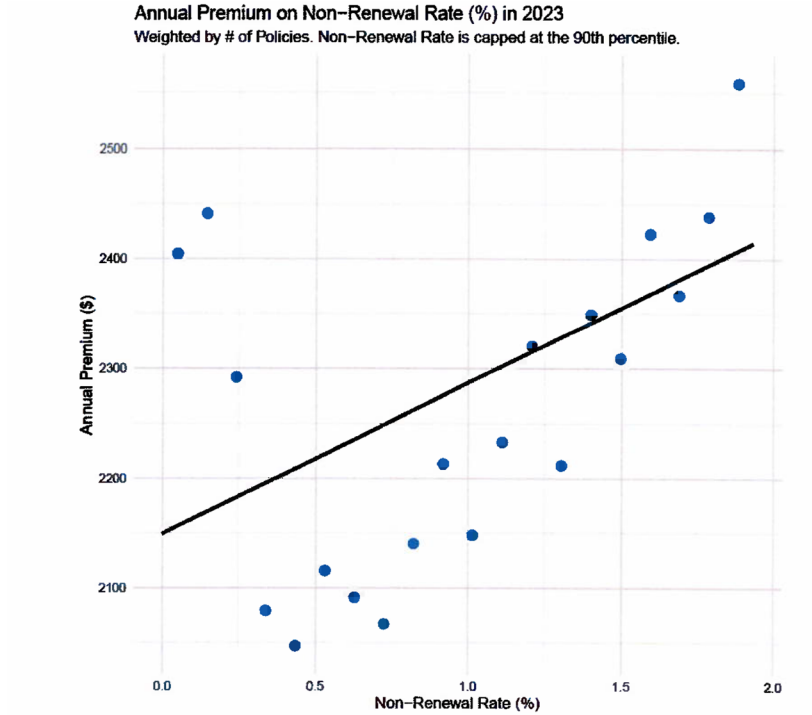
Finally, there are several indications in the data, when viewed at a state level, that there is significant risk of insurance upheaval in states that are not viewed as among the riskiest states when considering only 2023 data. In addition to New Jersey and Montana, mentioned above, several other states that currently fall outside the top 15 ranked by 2023 non-renewal rate experienced significant jumps in non-renewal rate, as evidenced by non-renewal rate percent change data. New York, for example, ranked 48 of 51 (including the District of Columbia) on the 2023 list, but 17 of 51 when ranked by rate percent change (a 47% increase in its non-renewal rate); Maine was 46 overall in 2023, but 15 by rate percent change (a 51% increase); Washington was 41 overall in 2023, but 12 by rate percent change (a 65% increase); West Virginia was 39 overall in 2023, but 11 by rate percent increase (a 65% increase); and Wyoming was 31 overall in 2023, but 10 by rate percent change (a 67% increase).

All of these states are either coastal states or states with increasing risk of wildfire, as determined by First Street — or both.⁴¹

C. There is a Strong Correlation Between Increasing Premiums and Increasing Non-Renewal Rates.

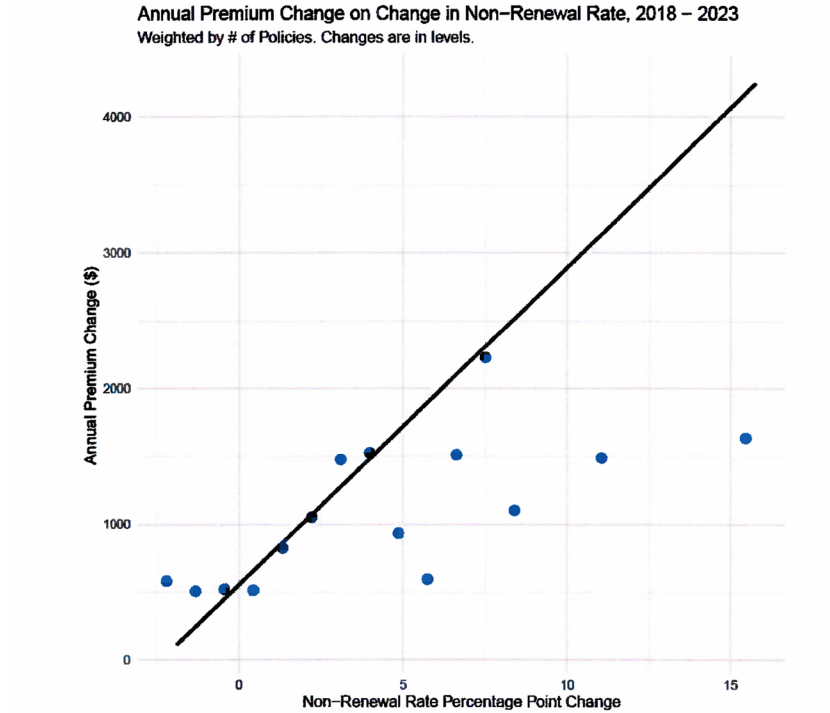
In July 2024, the *New York Times* published an exposé on how climate change is driving up home insurance premiums.⁴² An analysis of the Committee’s non-renewal data and the previously public premiums data shows a clear positive correlation between higher premiums and higher non-renewal rates.

⁴¹ The 9th National Risk Assessment, The Insurance Issue, *supra* note 33, at 15.
⁴² Christopher Flavell, *Home Insurance Rates in America Are Wildly Distorted. Here’s Why*, N.Y. Times (July 8, 2024), <https://www.nytimes.com/interactive/2024/07/08/climate/home-insurance-climate-change.html>.



Graph 2. Annual Premium on Non-Renewal Rate (%) in 2023

Areas with higher premiums are also more likely to have higher non-renewal rates. Similarly, there is a positive correlation between annual premium rate *change* and non-renewal rate percentage point *change* from 2018 through 2023.



Graph 3. Annual Premium Change on Change in Non-Renewal Rate, 2018 – 2023

Growth in insurance rate premiums closely tracking growth in non-renewal rates makes intuitive sense: with riskier properties, insurance companies can raise rates or refuse to underwrite altogether. As climate risk grows, the option to pull out altogether can become a necessary business decision. It is well-reported around the country that premiums are skyrocketing, insurers are non-renewing customers or pulling out of risky markets altogether; as climate change gets worse, insurance availability and affordability will also get worse.

IV. CONCLUSION

The data obtained by the Senate Budget Committee provides a first-of-its-kind look into the perils that homeowners face as insurers, responding to climate risk, are increasingly declining to renew policies. It provides a new window into understanding the upheaval in insurance markets around the country: the current state and geography of non-renewals, the link between increasing premiums and non-renewals, and insight into which states and markets are likely to see serious trouble next.

Notably, the data make clear that insurance non-renewals are not only a problem for communities typically seen as being on the front lines of climate change. Florida, California, and Louisiana have been seen as the canaries in the coal mine; the Committee's data make clear that places such as southern New England, parts of Montana, New Mexico, coastal *and* inland North Carolina, and South Carolina, among others, are not far behind.

As climate change gets worse, so does trouble in insurance markets, threatening mortgage markets and property values. In certain communities, sky-high insurance premiums and unavailable coverage will make it nearly impossible for anyone who cannot buy a house in cash to get a mortgage and buy a home. Property values will eventually fall — just like in 2008 — sending household wealth tumbling. The United States could be looking at a systemic shock to the economy similar to the financial crisis of 2008 — if not greater. As the former Chief Economist of Freddie Mac said in testimony before the Senate Budget Committee: “A large share of homeowners’ wealth is locked up in the equity in their homes. If those homes become uninsurable and unmarketable, the values of the homes will plummet. Unlike the experience of 2007/08, these homeowners will have no expectation that the values of their homes will ever recover.”⁴³ The economy-wide shock could be devastating.

Such a catastrophe need not be inevitable. Individuals and policymakers can — and should — be knowledgeable and prepared for the growing insurability crisis. The Committee's new data — which include information about nearly every county in the United States — can help give homeowners, families, and policymakers important insights and the foundation to ask informative questions.

While this Committee may be the first entity to publish this kind of data, it should not be the last. More data and greater transparency as to what is occurring in insurance markets are needed to address mounting concerns. Just after this Committee launched its investigation, the Department of the Treasury provided public notice that its Federal Insurance Office (FIO) was engaging in a similar data call, requesting information from insurers to assess climate-related financial risk to consumers across the United States.

According to the FIO, it sought to “obtain previously unavailable insurance data at a ZIP code level on a consistent, granular and comparable basis from the largest homeowners insurance providers that collectively underwrite around 70% of homeowners insurance premiums nationwide.”⁴⁴ Following FIO's public notice, it announced that it would collaborate with the

⁴³ *Risky Business: How Climate Change is Changing Insurance Markets: Hearing Before the Sen. Comm. on the Budget*, 118th Cong. (Mar. 22, 2023), <https://www.budget.senate.gov/hearings/risky-business-how-climate-change-is-changing-insurance-markets>.

⁴⁴ Press Release, U.S. Department of the Treasury, Treasury's Federal Insurance Office Advances First Insurer Data Call to Assess Climate-Related Financial Risk to Consumers (Nov. 1, 2023), <https://home.treasury.gov/news/press-releases/jy1867>.

NAIC and state insurance regulators to “collect and analyze data covering more than 80% of the U.S. property insurance market by premium volume.”⁴⁵

At the time of this Report, neither the NAIC nor FIO have published a final report or made data public.⁴⁶ The Committee is hopeful that the data collected by the NAIC will soon be made public. The potential economic consequences of climbing insurance premiums and declining insurance availability are simply too great to not have our headlights on, through regularly updated public data, to understand non-renewals and premium increases as the harbinger of broader insurance collapse.

⁴⁵ States Issue Property & Casualty Market Intelligence Data Call Covering Over 80% of U.S. Market, *supra* note 28.

⁴⁶ The Committee commends FIO’s focus on this important issue and looks forward to its findings, which should similarly allow policymakers and consumers understand, at a local level, the increasing impacts of climate change on household budgets and help inform necessary legislative fixes at the state level.

ANNEX

Table 1: 100 counties with the highest non-renewal rate in 2023 and > 10,000 policies

County	State	Non-Renewal % 2018	Non-Renewal % 2023	Annual Prem. 2023	Prem. Change 2018 - 2023
1 LAKE	CA	1.24	7.56	2707	1041
2 NEVADA	CA	2.3	6.51	3868	1888
3 BARNSTABLE	MA	0.78	6.39	3057	880
4 TUOLUMNE	CA	7.33	6.1	NA	NA
5 JACKSON	MS	0.32	5.55	4265	1395
6 TEHAMA	CA	0.89	5.29	NA	NA
7 HARRISON	MS	0.35	5.11	3485	911
8 ELDORADO	CA	2.28	5.01	NA	NA
9 SHASTA	CA	1.05	4.92	2326	984
10 COLLIER	FL	0.53	4.92	5056	2047
11 INDIANRIVER	FL	0.41	4.79	3867	1515
12 CHARLOTTE	FL	0.33	4.71	3784	1454
13 BREVARD	FL	0.64	4.48	3592	1482
14 POLK	FL	0.58	4.32	NA	NA
15 MIAMI-DADE	FL	1.6	4.29	6228	1976
16 ONSLOW	NC	2.47	4.25	2645	838
17 PITT	NC	1.94	4.2	2139	434
18 MENDOCINO	CA	0.87	4.12	2523	974
19 FLAGLER	FL	0.55	4.12	2865	1342
20 NEWYORK	NY	1.25	4.11	12256	6052
21 BEAUFORT	SC	0.22	4.11	3483	752
22 CHARLESTON	SC	0.45	3.97	3976	938
23 OSCEOLA	FL	1.03	3.96	3080	1250
24 ORLEANS	LA	0.44	3.78	6188	1883
25 PINELLAS	FL	0.4	3.7	4070	1461
26 MARTIN	FL	0.33	3.68	5403	2589
27 LAFOURCHE	LA	0.24	3.64	3252	1182
28 JEFFERSON	LA	0.38	3.61	4715	1724
29 SARASOTA	FL	0.4	3.5	3493	1372
30 PALMBEACH	FL	0.8	3.44	5769	2750
31 TERREBONNE	LA	0.28	3.39	3926	1522
32 BROWARD	FL	2.07	3.3	6057	2464
33 BUTTE	CA	1.69	3.24	1992	NA
34 MANATEE	FL	0.4	3.16	3513	NA
35 NEWHANOVER	NC	1.62	3.14	3598	948
36 WALTON	FL	1.39	2.99	4363	1802
37 HERNANDO	FL	0.58	2.94	2545	1010
38 MADERA	CA	0.99	2.85	1847	463
39 PASCO	FL	0.59	2.64	3207	1316
40 SUMMIT	UT	0.89	2.59	3806	1922
41 BAY	FL	0.54	2.54	3476	1409
42 LEE	FL	0.39	2.53	4098	1689
43 HILLSBOROUGH	FL	0.7	2.52	3716	1444
44 COMANCHE	OK	1.09	2.42	2873	731
45 ST.LUCIE	FL	0.57	2.41	3734	1706
46 TANGIPAHOA	LA	0.31	2.4	2576	991
47 JOSEPHINE	OR	1.18	2.4	1564	405
48 ST.JOHNS	FL	0.39	2.36	3479	1248
49 YUBA	CA	1.14	2.32	1748	469
50 BRUNSWICK	NC	1.39	2.32	3190	795
51 BERKELEY	SC	0.51	2.31	NA	NA
52 ORANGE	FL	0.91	2.3	3467	1478

53	RIVERSIDE	CA	1.3	2.29	1997	243
54	CUMBERLAND	NC	2.35	2.29	2092	548
55	PLACER	CA	1.16	2.19	2113	553
56	CITRUS	FL	0.45	2.17	2792	1273
57	HAMPTON	VA	1.36	2.17	2497	634
58	SANDIEGO	CA	1.11	2.16	2436	738
59	GEORGETOWN	SC	0.43	2.16	3741	1248
60	ESCAMBIA	FL	0.76	2.12	3775	1652
61	NORFOLK	VA	1.15	2.11	2313	429
62	SANTACRUZ	CA	0.47	2.03	2706	714
63	NEWPORT	RI	0.37	2.03	3288	832
64	SANBERNARDINO	CA	1.31	2.01	NA	NA
65	LAKE	FL	0.31	2.01	NA	NA
66	KERN	CA	1.3	2	1543	194
67	ASCENSION	LA	0.39	2	2531	710
68	DORCHESTER	SC	0.54	2	2685	767
69	OKALOOSA	FL	0.52	1.98	3937	1792
70	SEMINOLE	FL	1	1.94	3542	1597
71	ST.TAMMANY	LA	0.32	1.94	4586	2322
72	VENTURA	CA	0.9	1.93	2134	486
73	VOLUSIA	FL	0.78	1.93	2961	1267
74	SANTAROSA	FL	0.93	1.91	3620	1651
75	HUMBOLDT	CA	0.61	1.9	1673	414
76	DUVAL	FL	0.73	1.9	2989	1334
77	EAGLE	CO	0.7	1.84	3067	1120
78	EASTBATONROUGE	LA	0.66	1.84	2576	606
79	OKLAHOMA	OK	0.59	1.81	3448	719
80	GUILFORD	NC	2.53	1.77	2017	762
81	VIRGINIABEACH	VA	0.69	1.73	2537	562
82	MARION	FL	0.49	1.71	2485	1123
83	ALAMANCE	NC	1.93	1.69	1443	258
84	MECKLENBURG	NC	2.57	1.69	1884	406
85	RICHMOND	GA	1.49	1.67	2026	524
86	ALACHUA	FL	0.54	1.65	2662	1066
87	PLYMOUTH	MA	1.33	1.63	2996	NA
88	LIVINGSTON	LA	0.42	1.62	2545	NA
89	FAIRFIELD	CT	0.81	1.59	3467	783
90	LAUDERDALE	MS	1.14	1.59	2455	1183
91	HORRY	SC	0.46	1.59	2817	559
92	MUSCOGEE	GA	1.8	1.58	2137	865
93	UNION	NC	2.18	1.58	1995	573
94	NEWHAVEN	CT	0.93	1.57	2475	306
95	ESSEX	MA	1.19	1.56	2439	561
96	FRESNO	CA	0.75	1.54	NA	538
97	HINDS	MS	1.49	1.54	2783	NA
98	HONOLULU	HI	0.39	1.53	3286	517
99	SANJOAQUIN	CA	0.8	1.52	NA	1110
100	NASH	NC	1.77	1.52	2300	NA
						488

Table 2: 100 counties with the highest non-renewal rate change 2018 - 2023 and > 10,000 policies

	County	State	Non-Renewal Change 2018 - 2023	Non-Renewal % 2018	Non-Renewal % 2023	Prem. Change 2018 - 2023
1	LAKE	CA	6.32	1.24	7.56	1041
2	JACKSON	MS	5.23	0.32	5.55	1395
3	HARRISON	MS	4.77	0.35	5.11	911
4	COLLIER	FL	4.39	0.53	4.92	2047
5	NEVADA	CA	4.22	2.3	6.51	1888
6	BEAUFORT	SC	3.89	0.22	4.11	752
7	SHASTA	CA	3.88	1.05	4.92	984
8	BREVARD	FL	3.84	0.64	4.48	1482
9	POLK	FL	3.74	0.58	4.32	NA
10	FLAGLER	FL	3.57	0.55	4.12	1342
11	CHARLESTON	SC	3.52	0.45	3.97	938
12	ORLEANS	LA	3.34	0.44	3.78	1883
13	PINELLAS	FL	3.3	0.4	3.7	1461
14	MENDOCINO	CA	3.25	0.87	4.12	974
15	JEFFERSON	LA	3.23	0.38	3.61	1724
16	TERREBONNE	LA	3.11	0.28	3.39	1522
17	SARASOTA	FL	3.1	0.4	3.5	1372
18	OSCEOLA	FL	2.93	1.03	3.96	1250
19	NEWYORK	NY	2.87	1.25	4.11	6052
20	MANATEE	FL	2.77	0.4	3.16	NA
21	ELDORADO	CA	2.73	2.28	5.01	NA
22	MIAMI-DADE	FL	2.69	1.6	4.29	1976
23	PALMBEACH	FL	2.64	0.8	3.44	2750
24	HERNANDO	FL	2.36	0.58	2.94	1010
25	PITT	NC	2.26	1.94	4.2	434
26	LEE	FL	2.15	0.39	2.53	1689
27	TANGIPAHOA	LA	2.09	0.31	2.4	991
28	PASCO	FL	2.05	0.59	2.64	1316
29	ST. JOHNS	FL	1.97	0.39	2.36	1248
30	MADERA	CA	1.86	0.99	2.85	463
31	ST. LUCIE	FL	1.84	0.57	2.41	1706
32	HILLSBOROUGH	FL	1.82	0.7	2.52	1444
33	BERKELEY	SC	1.8	0.51	2.31	NA
34	LAKE	FL	1.71	0.31	2.01	NA
35	SUMMIT	UT	1.71	0.89	2.59	1922
36	NEWPORT	RI	1.66	0.37	2.03	832
37	ST. TAMMANY	LA	1.62	0.32	1.94	2322
38	ASCENSION	LA	1.61	0.39	2	710
39	SANTACRUZ	CA	1.56	0.47	2.03	714
40	BUTTE	CA	1.55	1.69	3.24	NA
41	NEWHANOVER	NC	1.52	1.62	3.14	948
42	DORCHESTER	SC	1.46	0.54	2	767
43	SUMTER	FL	1.42	0.1	1.51	NA
44	ORANGE	FL	1.39	0.91	2.3	1478
45	ESCAMBIA	FL	1.36	0.76	2.12	1652
46	HUMBOLDT	CA	1.29	0.61	1.9	414
47	BROWARD	FL	1.23	2.07	3.3	2464
48	OKLAHOMA	OK	1.22	0.59	1.81	719
49	JOSEPHINE	OR	1.22	1.18	2.4	405
50	MARION	FL	1.21	0.49	1.71	1123
51	LIVINGSTON	LA	1.21	0.42	1.62	783

52	EASTBATONROUGE	LA	1.18	0.66	1.84	606
53	DUVAL	FL	1.17	0.73	1.9	1334
54	VOLUSIA	FL	1.15	0.78	1.93	1267
55	HONOLULU	HI	1.15	0.39	1.53	1110
56	EAGLE	CO	1.14	0.7	1.84	1120
57	HORRY	SC	1.14	0.46	1.59	885
58	ALACHUA	FL	1.11	0.54	1.65	1066
59	SANDIEGO	CA	1.05	1.11	2.16	738
60	WASHINGTON	RI	1.05	0.37	1.42	535
61	PLACER	CA	1.04	1.16	2.19	553
62	VIRGINIABEACH	VA	1.04	0.69	1.73	562
63	VENTURA	CA	1.03	0.9	1.93	486
64	RIVERSIDE	CA	0.99	1.3	2.29	243
65	CAPEMAY	NJ	0.97	0.48	1.45	251
66	NORFOLK	VA	0.96	1.15	2.11	429
67	SEMINOLE	FL	0.95	1	1.94	1597
68	BRUNSWICK	NC	0.94	1.39	2.32	795
69	MAUI	HI	0.93	0.5	1.43	886
70	NAPA	CA	0.92	0.51	1.43	736
71	KINGS	CA	0.9	0.6	1.49	288
72	CANADIAN	OK	0.89	0.47	1.36	771
73	HAMPTON	VA	0.81	1.36	2.17	634
74	CLAY	FL	0.8	0.48	1.28	1030
75	FLATHEAD	MT	0.79	0.71	1.51	388
76	FRESNO	CA	0.78	0.75	1.54	NA
77	FAIRFIELD	CT	0.77	0.81	1.59	1183
78	LAFAYETTE	LA	0.77	0.42	1.19	289
79	SANJOAQUIN	CA	0.71	0.8	1.52	NA
80	SONOMA	CA	0.71	0.68	1.39	NA
81	KERN	CA	0.7	1.3	2	194
82	SANBERNARDINO	CA	0.7	1.31	2.01	NA
83	LAPLATA	CO	0.68	0.83	1.5	950
84	SUFFOLK	NY	0.68	0.36	1.04	772
85	GALVESTON	TX	0.68	0.79	1.47	346
86	SOLANO	CA	0.67	0.58	1.24	427
87	CLEVELAND	OK	0.66	0.61	1.27	511
88	PITTSYLVANIA	VA	0.66	0.79	1.46	496
89	NEWHAVEN	CT	0.65	0.93	1.57	561
90	CHELAN	WA	0.65	0.59	1.24	510
91	STANISLAUS	CA	0.64	0.69	1.33	269
92	LITCHFIELD	CT	0.64	0.64	1.29	NA
93	LEWISANDCLARK	MT	0.64	0.7	1.33	459
94	BRAZORIA	TX	0.64	0.63	1.27	491
95	BALDWIN	AL	0.63	0.29	0.93	1117
96	MISSOULA	MT	0.63	0.46	1.09	507
97	SANJUAN	NM	0.62	0.76	1.38	166
98	ATLANTIC	NJ	0.58	0.55	1.13	586
99	HUDSON	NJ	0.58	0.45	1.04	1249
100	ALAMEDA	CA	0.57	0.59	1.16	619

Table 3: 100 counties with the highest non-renewal rate in 2023 and > 1,000 policies

County	State	Non-Renewal % 2018	Non-Renewal % 2023	Annual Prem. 2023	Prem. Change 2018 - 2023	
1	GLADES	FL	0.46	16.23	3617	1637
2	DARE	NC	1.93	12.92	4560	1009
3	DUKES	MA	0.43	11.6	4631	1967
4	CHOWAN	NC	1.5	9.31	3356	1124
5	HIGHLANDS	FL	0.41	9.14	2744	1102
6	BLADEN	NC	2.11	8.16	2488	530
7	LAKE	CA	1.24	7.56	2707	1041
8	CURRITUCK	NC	2.43	7.51	2911	154
9	WAYNE	NC	2.43	7.39	2071	483
10	NANTUCKET	MA	0.22	7.3	5922	3332
11	TRINITY	CA	0.97	7.27	3710	2288
12	PASQUOTANK	NC	1.37	7.06	2447	377
13	HENDRY	FL	0.49	6.88	3606	1208
14	MARIPOSA	CA	2.68	6.87	3544	1768
15	BEAUFORT	NC	1.54	6.82	2430	280
16	CALAVERAS	CA	2.86	6.77	3335	1765
17	PLUMAS	CA	1.68	6.6	2422	903
18	NEVADA	CA	2.3	6.51	3868	1888
19	BARNSTABLE	MA	0.78	6.39	3057	880
20	LEVY	FL	1.18	6.25	3163	1529
21	TUOLUMNE	CA	7.33	6.1	NA	NA
22	GULF	FL	3.04	6.06	4245	1774
23	LENOIR	NC	1.76	5.77	2126	614
24	JACKSON	MS	0.32	5.55	4265	1395
25	DESOTO	FL	0.2	5.44	3439	1258
26	AMADOR	CA	2.31	5.42	2800	1092
27	ST. BERNARD	LA	0.42	5.36	3412	1490
28	TEHAMA	CA	0.89	5.29	NA	NA
29	HARRISON	MS	0.35	5.11	3485	911
30	ROBESON	NC	2.41	5.06	2464	415
31	ELDORADO	CA	2.28	5.01	NA	NA
32	DUPLIN	NC	3	5	2183	450
33	SHASTA	CA	1.05	4.92	2326	984
34	COLLIER	FL	0.53	4.92	5056	2047
35	CRAVEN	NC	1.35	4.86	2511	629
36	INDIANRIVER	FL	0.41	4.79	3867	1515
37	CHARLOTTE	FL	0.33	4.71	3784	1454
38	HARDEE	FL	0.52	4.64	3426	1258
39	BREVARD	FL	0.64	4.48	3592	1482
40	COLUMBUS	NC	2.54	4.43	2719	570
41	PLAQUEMINES	LA	0.35	4.39	5587	1929
42	VERMILION	LA	0.27	4.36	3463	1171
43	POLK	FL	0.58	4.32	NA	NA
44	MIAMI-DADE	FL	1.6	4.29	6228	1976
45	MONROE	FL	0.13	4.28	8658	2938
46	ONslow	NC	2.47	4.25	2645	838
47	PITT	NC	1.94	4.2	2139	434
48	CARTERET	NC	2.42	4.18	4026	1236
49	LASSEN	CA	1.11	4.14	2008	641
50	MENDOCINO	CA	0.87	4.12	2523	974
51	FLAGLER	FL	0.55	4.12	2865	1342
52	NEWYORK	NY	1.25	4.11	12256	6052

53	BEAUFORT	SC	0.22	4.11	3483	752
54	CADDO	OK	0.55	4.01	3062	861
55	ACCOMACK	VA	0.8	3.99	2446	434
56	CHARLESTON	SC	0.45	3.97	3976	938
57	OSCEOLA	FL	1.03	3.96	3080	1250
58	ST.JOHNTHEBAPTIST	LA	0.42	3.86	4393	2164
59	ORLEANS	LA	0.44	3.78	6188	1883
60	JACKSON	OK	1.11	3.77	2909	793
61	SAMPSON	NC	1.78	3.74	2148	569
62	TETON	WY	0.25	3.74	4766	2628
63	PINELLAS	FL	0.4	3.7	4070	1461
64	MARTIN	FL	0.33	3.68	5403	2589
65	LAFOURCHE	LA	0.24	3.64	3252	1182
66	JEFFERSON	LA	0.38	3.61	4715	1724
67	ST.CHARLES	LA	0.26	3.58	4583	1917
68	SARASOTA	FL	0.4	3.5	3493	1372
69	PALMBEACH	FL	0.8	3.44	5769	2750
70	SEMINOLE	OK	0.67	3.41	2843	774
71	TERREBONNE	LA	0.28	3.39	3926	1522
72	PENDER	NC	1.58	3.37	3621	913
73	SANMIGUEL	CO	0.68	3.35	3500	980
74	CHAMBERS	TX	0.32	3.34	3237	401
75	BROWARD	FL	2.07	3.3	6057	2464
76	BOURBON	KY	0.4	3.26	NA	NA
77	BUTTE	CA	1.69	3.24	1992	NA
78	ATHENS	OH	0.92	3.24	1886	NA
79	SISKIYOU	CA	1.31	3.18	2272	903
80	MANATEE	FL	0.4	3.16	3513	NA
81	NEWHANOVER	NC	1.62	3.14	3598	948
82	INYO	CA	0.67	3.1	1809	354
83	WALTON	FL	1.39	2.99	4363	1802
84	HERNANDO	FL	0.58	2.94	2545	1010
85	CHOCTAW	OK	1.07	2.94	3001	1230
86	HUGHES	OK	0.79	2.93	2511	631
87	BOISE	ID	0.98	2.87	1851	637
88	ST.MARY	LA	0.41	2.87	NA	NA
89	BECKHAM	OK	1.14	2.87	3303	799
90	MADERA	CA	0.99	2.85	1847	463
91	MORGAN	OH	1	2.83	1941	369
92	SANMIGUEL	NM	1.56	2.81	2390	610
93	BLAINE	ID	0.54	2.8	2289	929
94	BOXBUTTE	NE	1.14	2.8	3453	1304
95	MARION	SC	0.57	2.77	2344	649
96	MARTIN	NC	2.43	2.75	2190	522
97	MONO	CA	0.68	2.72	3929	2058
98	NASSAU	FL	0.39	2.7	3180	1137
99	MCCURTAIN	OK	0.57	2.68	3492	1500
100	TAYLOR	FL	0.76	2.65	3257	1504

Table 4: 100 counties with the highest non-renewal rate change 2018 - 2023 and > 1,000 policies

County	State	Non-Renewal Change 2018 - 2023	Non-Renewal % 2018	Non-Renewal % 2023	Prem. Change 2018 - 2023	
1	GLADES	FL	15.77	0.46	16.23	1637
2	DUKES	MA	11.17	0.43	11.6	1967
3	DARE	NC	10.99	1.93	12.92	1009
4	HIGHLANDS	FL	8.73	0.41	9.14	1102
5	CHOWAN	NC	7.81	1.5	9.31	1124
6	NANTUCKET	MA	7.07	0.22	7.3	3332
7	HENDRY	FL	6.4	0.49	6.88	1208
8	LAKE	CA	6.32	1.24	7.56	1041
9	TRINITY	CA	6.3	0.97	7.27	2288
10	BLADEN	NC	6.05	2.11	8.16	530
11	PASQUOTANK	NC	5.69	1.37	7.06	377
12	BARNSTABLE	MA	5.6	0.78	6.39	880
13	BEAUFORT	NC	5.28	1.54	6.82	280
14	DESOTO	FL	5.24	0.2	5.44	1258
15	JACKSON	MS	5.23	0.32	5.55	1395
16	CURRITUCK	NC	5.08	2.43	7.51	154
17	LEVY	FL	5.06	1.18	6.25	1529
18	WAYNE	NC	4.97	2.43	7.39	483
19	ST.BERNARD	LA	4.94	0.42	5.36	1490
20	PLUMAS	CA	4.92	1.68	6.6	903
21	HARRISON	MS	4.77	0.35	5.11	911
22	TEHAMA	CA	4.4	0.89	5.29	NA
23	COLLIER	FL	4.39	0.53	4.92	2047
24	CHARLOTTE	FL	4.38	0.33	4.71	1454
25	INDIANRIVER	FL	4.37	0.41	4.79	1515
26	NEVADA	CA	4.22	2.3	6.51	1888
27	MARIPOSA	CA	4.18	2.68	6.87	1768
28	MONROE	FL	4.15	0.13	4.28	2938
29	HARDEE	FL	4.11	0.52	4.64	1258
30	VERMILION	LA	4.09	0.27	4.36	1171
31	PLAQUEMINES	LA	4.04	0.35	4.39	1929
32	LENOIR	NC	4	1.76	5.77	614
33	CALAVERAS	CA	3.91	2.86	6.77	1765
34	BEAUFORT	SC	3.89	0.22	4.11	752
35	SHASTA	CA	3.88	1.05	4.92	984
36	BREVARD	FL	3.84	0.64	4.48	1482
37	POLK	FL	3.74	0.58	4.32	NA
38	FLAGLER	FL	3.57	0.55	4.12	1342
39	CRAVEN	NC	3.52	1.35	4.86	629
40	CHARLESTON	SC	3.52	0.45	3.97	938
41	TETON	WY	3.49	0.25	3.74	2628
42	CADDO	OK	3.45	0.55	4.01	861
43	ST.JOHNTHEBAPTIST	LA	3.44	0.42	3.86	2164
44	LAFOURCHE	LA	3.4	0.24	3.64	1182
45	MARTIN	FL	3.35	0.33	3.68	2589
46	ORLEANS	LA	3.34	0.44	3.78	1883
47	ST.CHARLES	LA	3.32	0.26	3.58	1917
48	PINELLAS	FL	3.3	0.4	3.7	1461
49	MENDOCINO	CA	3.25	0.87	4.12	974
50	JEFFERSON	LA	3.23	0.38	3.61	1724
51	ACCOMACK	VA	3.2	0.8	3.99	434

52	AMADOR	CA	3.11	2.31	5.42	1092
53	TERREBONNE	LA	3.11	0.28	3.39	1522
54	SARASOTA	FL	3.1	0.4	3.5	1372
55	LASSEN	CA	3.03	1.11	4.14	641
56	GULF	FL	3.02	3.04	6.06	1774
57	CHAMBERS	TX	3.02	0.32	3.34	401
58	OSCEOLA	FL	2.93	1.03	3.96	1250
59	BOURBON	KY	2.87	0.4	3.26	NA
60	NEWYORK	NY	2.87	1.25	4.11	6052
61	MANATEE	FL	2.77	0.4	3.16	NA
62	SEMINOLE	OK	2.74	0.67	3.41	774
63	ELDORADO	CA	2.73	2.28	5.01	NA
64	MIAMI-DADE	FL	2.69	1.6	4.29	1976
65	SANMIGUEL	CO	2.67	0.68	3.35	980
66	JACKSON	OK	2.67	1.11	3.77	793
67	ROBESON	NC	2.65	2.41	5.06	415
68	PALMBEACH	FL	2.64	0.8	3.44	2750
69	ST.MARY	LA	2.46	0.41	2.87	NA
70	INYO	CA	2.43	0.67	3.1	354
71	HERNANDO	FL	2.36	0.58	2.94	1010
72	ATHENS	OH	2.32	0.92	3.24	NA
73	NASSAU	FL	2.31	0.39	2.7	1137
74	BLAINE	ID	2.26	0.54	2.8	929
75	PITT	NC	2.26	1.94	4.2	434
76	MARION	SC	2.2	0.57	2.77	649
77	STONE	MS	2.19	0.33	2.51	1192
78	LEE	FL	2.15	0.39	2.53	1689
79	ASSUMPTION	LA	2.14	0.47	2.61	1647
80	HUGHES	OK	2.14	0.79	2.93	631
81	HANCOCK	MS	2.11	0.16	2.28	1522
82	MCCURTAIN	OK	2.11	0.57	2.68	1500
83	TANGIPAHOA	LA	2.09	0.31	2.4	991
84	PASCO	FL	2.05	0.59	2.64	1316
85	MONO	CA	2.04	0.68	2.72	2058
86	BAY	FL	2.01	0.54	2.54	1409
87	DUPLIN	NC	2	3	5	450
88	ST.JOHNS	FL	1.97	0.39	2.36	1248
89	YORK	NE	1.97	0.37	2.34	629
90	SAMPSON	NC	1.96	1.78	3.74	569
91	GEORGE	MS	1.92	0.18	2.1	857
92	TAYLOR	FL	1.89	0.76	2.65	1504
93	BOISE	ID	1.89	0.98	2.87	637
94	COLUMBUS	NC	1.89	2.54	4.43	570
95	SISKIYOU	CA	1.87	1.31	3.18	903
96	CHOCTAW	OK	1.87	1.07	2.94	1230
97	MADERA	CA	1.86	0.99	2.85	463
98	ST.LUCIE	FL	1.84	0.57	2.41	1706
99	MORGAN	OH	1.83	1	2.83	369
100	HILLSBOROUGH	FL	1.82	0.7	2.52	1444

Table 5: States by Non-Renewal Rate 2023

	State	Non-Renewal % 2018	Non-Renewal % 2023	Non-Renewal Change 2018 - 2023
1	FL	0.79	2.99	2.2
2	LA	0.49	1.8	1.31
3	NC	2.07	1.79	-0.28
4	CA	0.94	1.72	0.77
5	MA	1.18	1.51	0.34
6	MS	0.96	1.49	0.53
7	OK	0.72	1.45	0.74
8	RI	0.69	1.37	0.68
9	CT	0.86	1.34	0.48
10	HI	0.42	1.32	0.9
11	NM	0.97	1.27	0.3
12	DC	0.98	1.24	0.26
13	SC	0.52	1.24	0.71
14	SD	0.88	1.12	0.24
15	IA	0.96	1.06	0.1
16	UT	0.72	1.06	0.34
17	NE	0.88	1.05	0.17
18	MT	0.61	1.02	0.41
19	IN	1	0.98	-0.02
20	TN	0.98	0.96	-0.02
21	VA	0.7	0.95	0.25
22	MO	0.99	0.94	-0.06
23	OH	1.03	0.89	-0.14
24	ID	0.77	0.87	0.1
25	CO	1.1	0.86	-0.24
26	GA	1.16	0.86	-0.3
27	ND	0.64	0.86	0.22
28	KS	0.81	0.85	0.04
29	NV	0.63	0.85	0.21
30	VT	0.7	0.85	0.14
31	WY	0.51	0.84	0.34
32	TX	0.81	0.83	0.02
33	AL	1.01	0.82	-0.19
34	AZ	1.16	0.8	-0.36
35	NJ	0.47	0.8	0.33
36	KY	0.6	0.77	0.17
37	WI	0.81	0.77	-0.04
38	DE	0.62	0.74	0.11
39	WV	0.45	0.74	0.29
40	AR	0.94	0.73	-0.2
41	WA	0.42	0.69	0.27
42	OR	0.83	0.68	-0.15
43	IL	0.54	0.66	0.12
44	MD	0.5	0.65	0.15
45	NH	1.25	0.63	-0.62
46	ME	0.4	0.61	0.2
47	MI	0.46	0.58	0.12
48	NY	0.39	0.57	0.18
49	AK	0.95	0.42	-0.53
50	PA	0.29	0.37	0.09
51	MN	0.58	0.32	-0.26

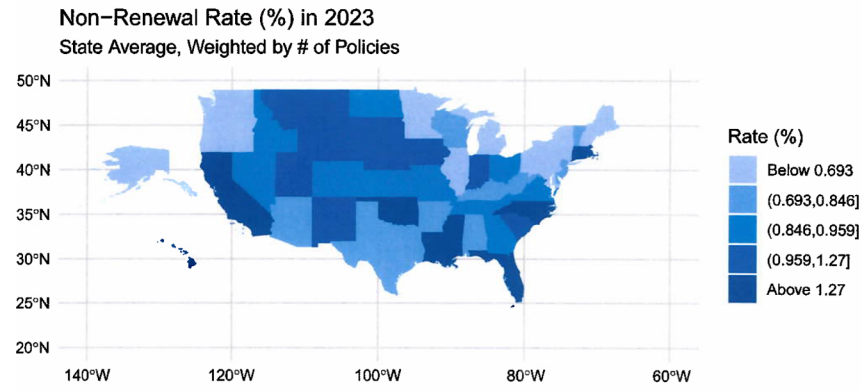
Table 6: States by Non-Renewal Rate Change 2018 - 2023

	State	Non-Renewal % 2018	Non-Renewal % 2023	Non-Renewal Change 2018 - 2023
1	FL	0.79	2.99	2.2
2	LA	0.49	1.8	1.31
3	HI	0.42	1.32	0.9
4	CA	0.94	1.72	0.77
5	OK	0.72	1.45	0.74
6	SC	0.52	1.24	0.71
7	RI	0.69	1.37	0.68
8	MS	0.96	1.49	0.53
9	CT	0.86	1.34	0.48
10	MT	0.61	1.02	0.41
11	MA	1.18	1.51	0.34
12	UT	0.72	1.06	0.34
13	WY	0.51	0.84	0.34
14	NJ	0.47	0.8	0.33
15	NM	0.97	1.27	0.3
16	WV	0.45	0.74	0.29
17	WA	0.42	0.69	0.27
18	DC	0.98	1.24	0.26
19	VA	0.7	0.95	0.25
20	SD	0.88	1.12	0.24
21	ND	0.64	0.86	0.22
22	NV	0.63	0.85	0.21
23	ME	0.4	0.61	0.2
24	NY	0.39	0.57	0.18
25	KY	0.6	0.77	0.17
26	NE	0.88	1.05	0.17
27	MD	0.5	0.65	0.15
28	VT	0.7	0.85	0.14
29	IL	0.54	0.66	0.12
30	MI	0.46	0.58	0.12
31	DE	0.62	0.74	0.11
32	IA	0.96	1.06	0.1
33	ID	0.77	0.87	0.1
34	PA	0.29	0.37	0.09
35	KS	0.81	0.85	0.04
36	TX	0.81	0.83	0.02
37	IN	1	0.98	-0.02
38	TN	0.98	0.96	-0.02
39	WI	0.81	0.77	-0.04
40	MO	0.99	0.94	-0.06
41	OH	1.03	0.89	-0.14
42	OR	0.83	0.68	-0.15
43	AL	1.01	0.82	-0.19
44	AR	0.94	0.73	-0.2
45	CO	1.1	0.86	-0.24
46	MN	0.58	0.32	-0.26
47	NC	2.07	1.79	-0.28
48	GA	1.16	0.86	-0.3
49	AZ	1.16	0.8	-0.36
50	AK	0.95	0.42	-0.53
51	NH	1.25	0.63	-0.62

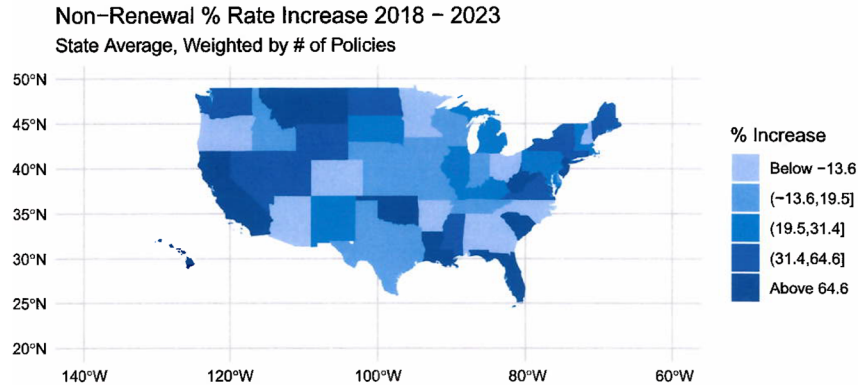
Table 7: States by Non-Renewal Rate Percent Change 2018 - 2023

	State	Non-Renewal % 2018	Non-Renewal % 2023	Non-Renewal Percent Change 2018 - 2023
1	FL	0.79	2.99	279.97
2	LA	0.49	1.8	267.17
3	HI	0.42	1.32	215.83
4	SC	0.52	1.24	136
5	OK	0.72	1.45	102.82
6	RI	0.69	1.37	99.79
7	CA	0.94	1.72	81.99
8	NJ	0.47	0.8	69.54
9	MT	0.61	1.02	67.42
10	WY	0.51	0.84	66.67
11	WV	0.45	0.74	65.06
12	WA	0.42	0.69	64.56
13	CT	0.86	1.34	55.67
14	MS	0.96	1.49	55.63
15	ME	0.4	0.61	51.05
16	UT	0.72	1.06	46.87
17	NY	0.39	0.57	46.84
18	VA	0.7	0.95	35.81
19	ND	0.64	0.86	34.16
20	NV	0.63	0.85	33.77
21	NM	0.97	1.27	31.38
22	PA	0.29	0.37	29.77
23	MD	0.5	0.65	29.7
24	KY	0.6	0.77	29.26
25	MA	1.18	1.51	28.73
26	SD	0.88	1.12	26.74
27	DC	0.98	1.24	26.45
28	MI	0.46	0.58	26.25
29	IL	0.54	0.66	22.91
30	VT	0.7	0.85	20.59
31	NE	0.88	1.05	19.51
32	DE	0.62	0.74	18.13
33	ID	0.77	0.87	13.22
34	IA	0.96	1.06	10.24
35	KS	0.81	0.85	5.42
36	TX	0.81	0.83	1.96
37	IN	1	0.98	-1.81
38	TN	0.98	0.96	-2.48
39	WI	0.81	0.77	-5.13
40	MO	0.99	0.94	-5.76
41	NC	2.07	1.79	-13.6
42	OH	1.03	0.89	-13.77
43	OR	0.83	0.68	-18.13
44	AL	1.01	0.82	-18.98
45	CO	1.1	0.86	-21.5
46	AR	0.94	0.73	-21.86
47	GA	1.16	0.86	-25.5
48	AZ	1.16	0.8	-31.06
49	MN	0.58	0.32	-44.1
50	NH	1.25	0.63	-49.56
51	AK	0.95	0.42	-55.76

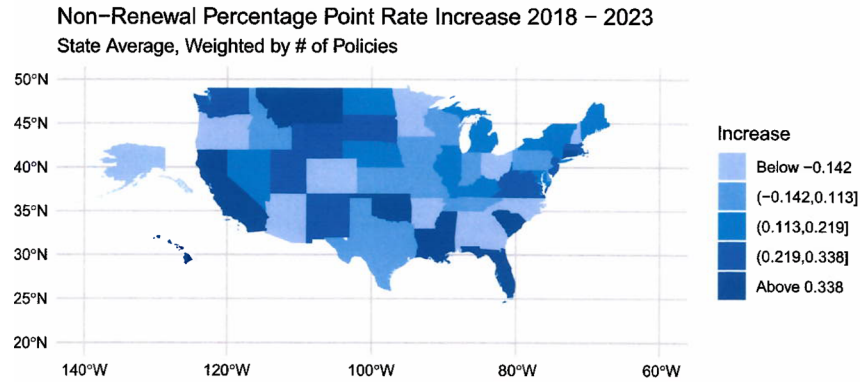
Map 1: Non-Renewal Rate (%) in 2023 (State Level)




Map 2: Non-Renewal % Rate Increase 2018 – 2023 (State Level)



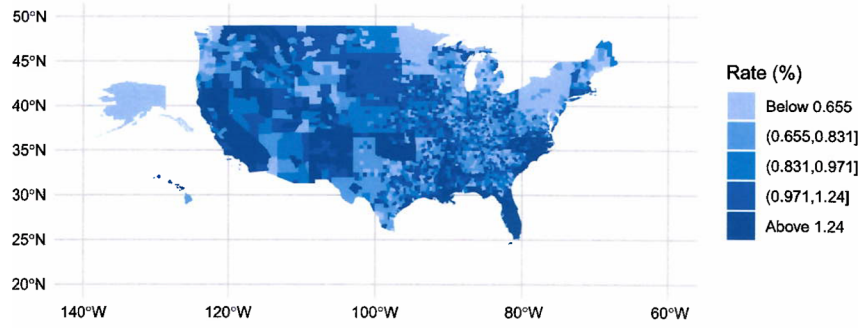
Map 3: Non-Renewal Percentage Point Rate Increase 2018 – 2023 (State Level)



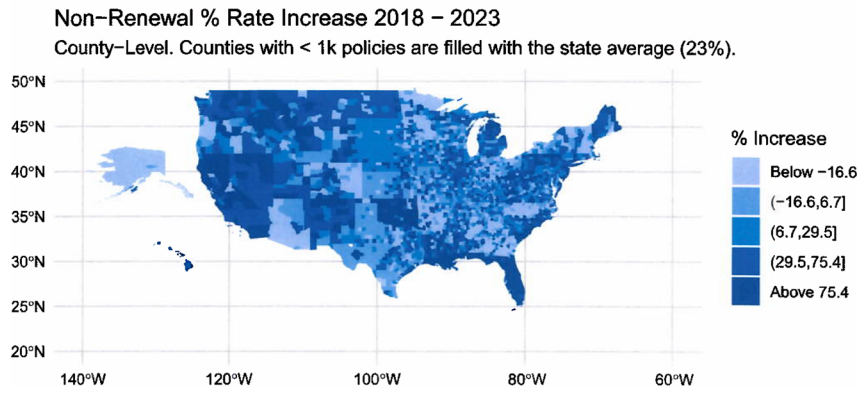
Map  Non-Renewal Rate (%) in 2023 (County-Level)

Non-Renewal Rate (%) in 2023

County-Level. Counties with < 1k policies are filled with the state average (23%).

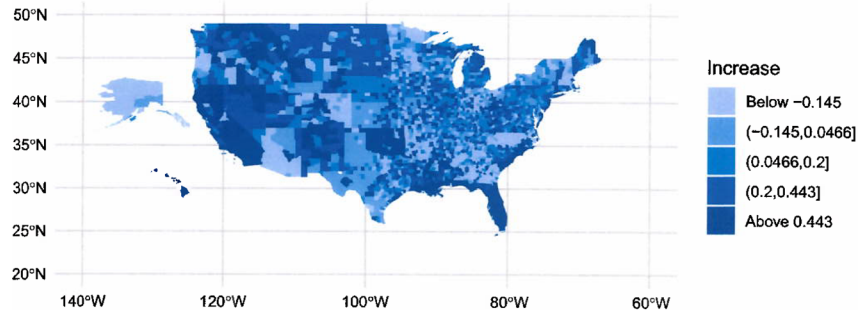


Map 5: Non-Renewal % Rate Increase 2018 – 2023 (County Level)

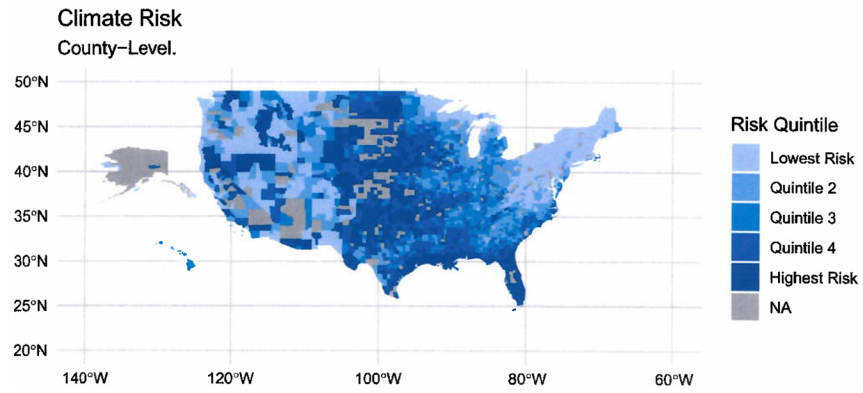


Map 6: Non-Renewal Percentage Point Rate Increase 2018 – 2023 (County Level)

Non-Renewal Percentage Point Rate Increase 2018 – 2023
County-Level. Counties with < 1k policies are filled with the state average (23%).

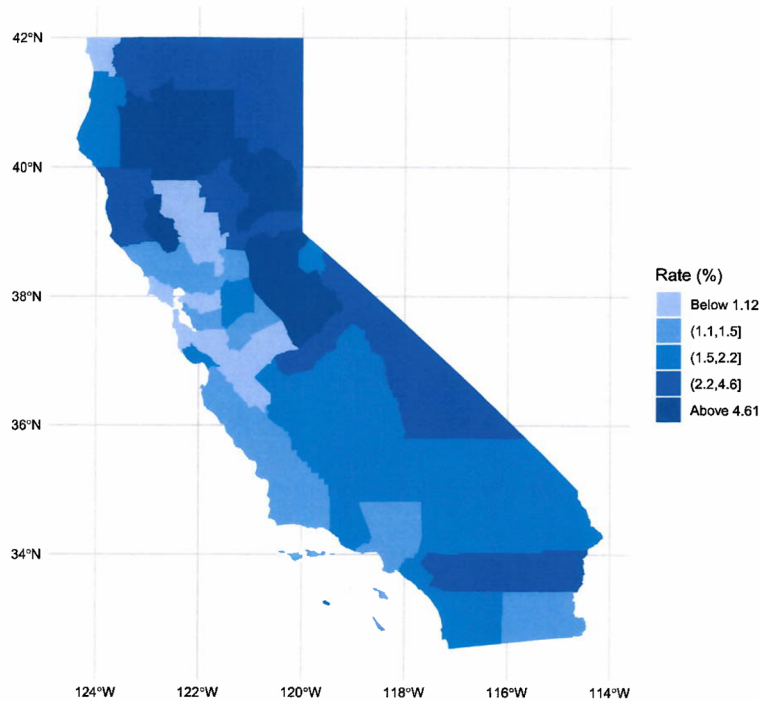


Map 7: Climate Risk (County Level)

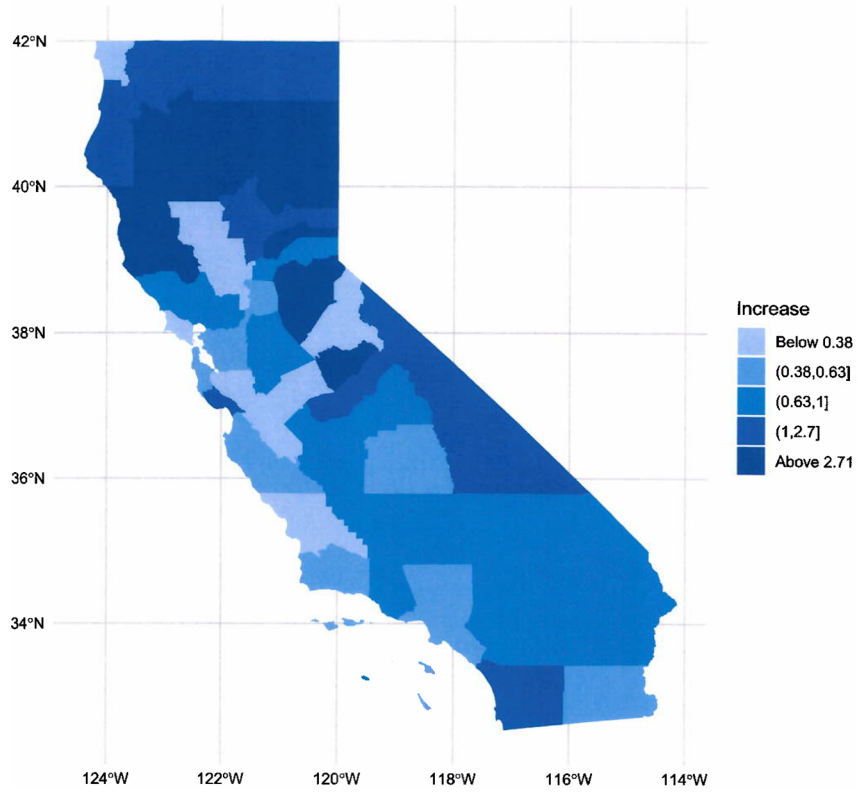


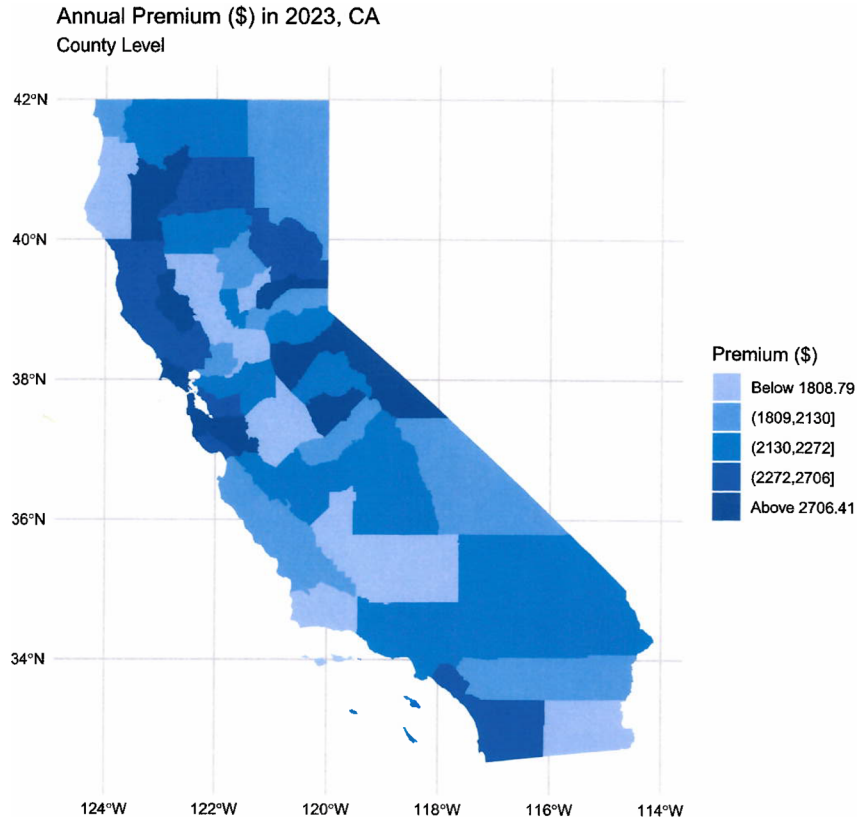
Map 8.A: Select County-Level State Maps [California]

Non-Renewal Rate (%) in 2023, CA
County Level

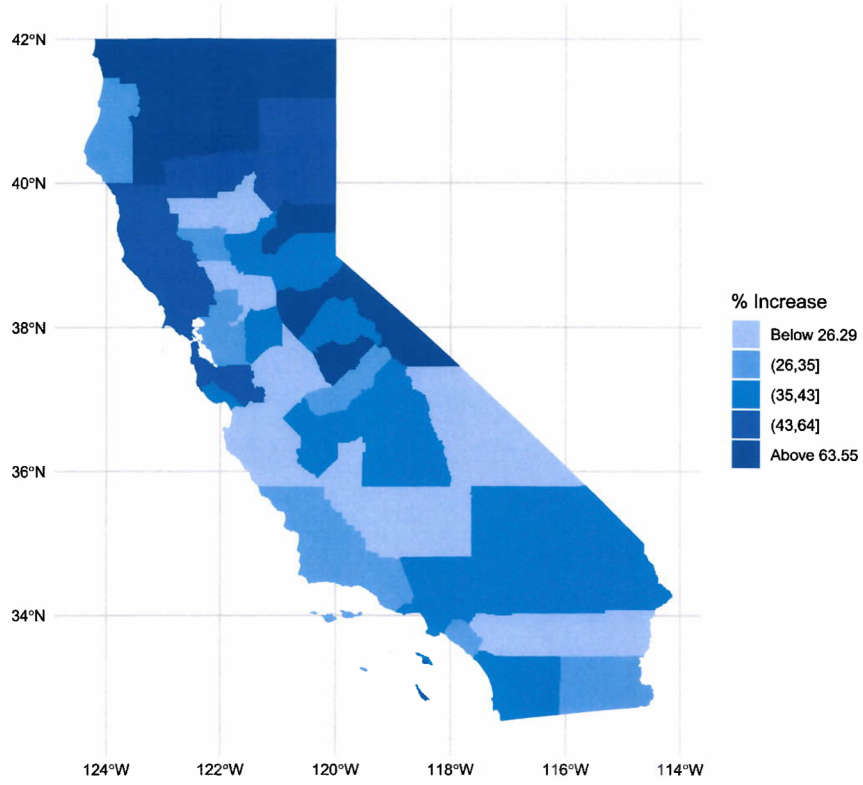


Non-Renewal Rate Increase (p.p.) 2018 – 2023, CA
County Level





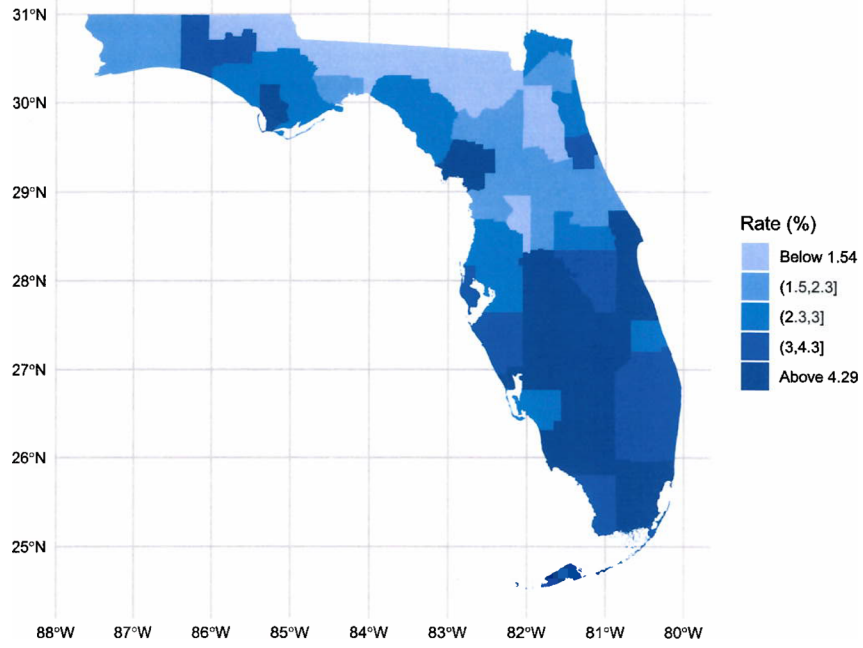
Premium % Increase 2018 – 2023, CA
County Level



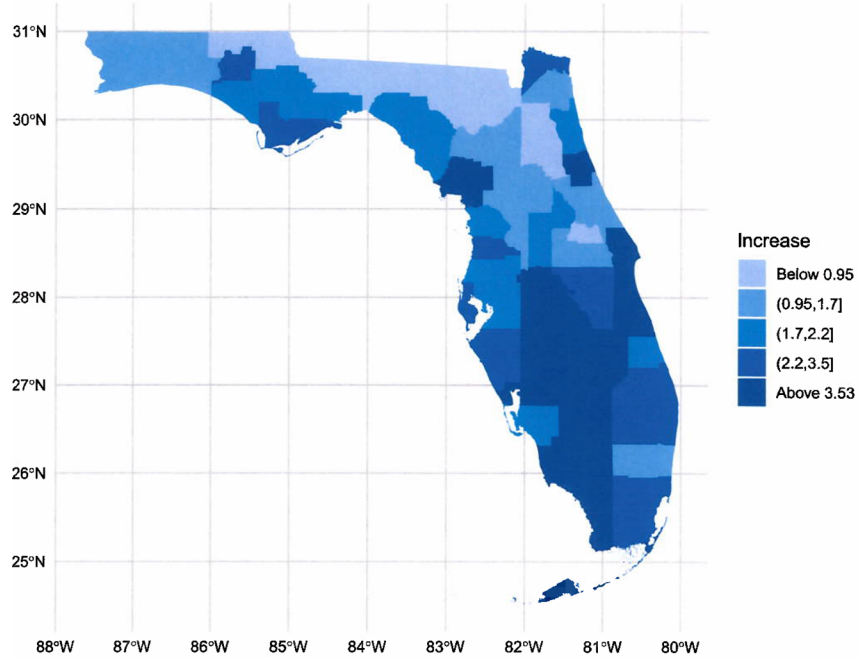
Map 8.B: Select County-Level State Maps [Florida]

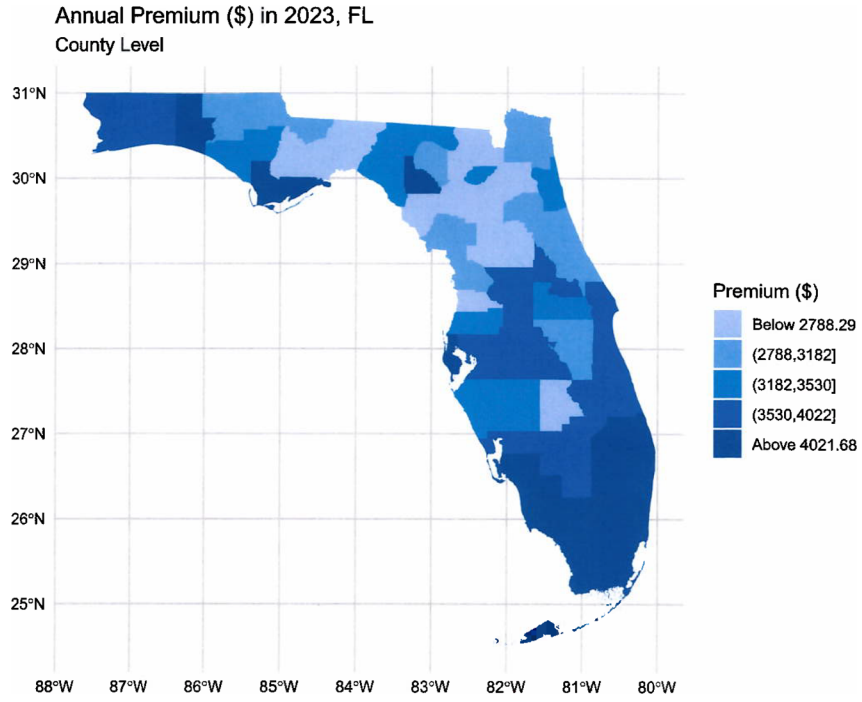
Non-Renewal Rate (%) in 2023, FL

County Level. Counties with < 500 policies are filled with the state average (7%).

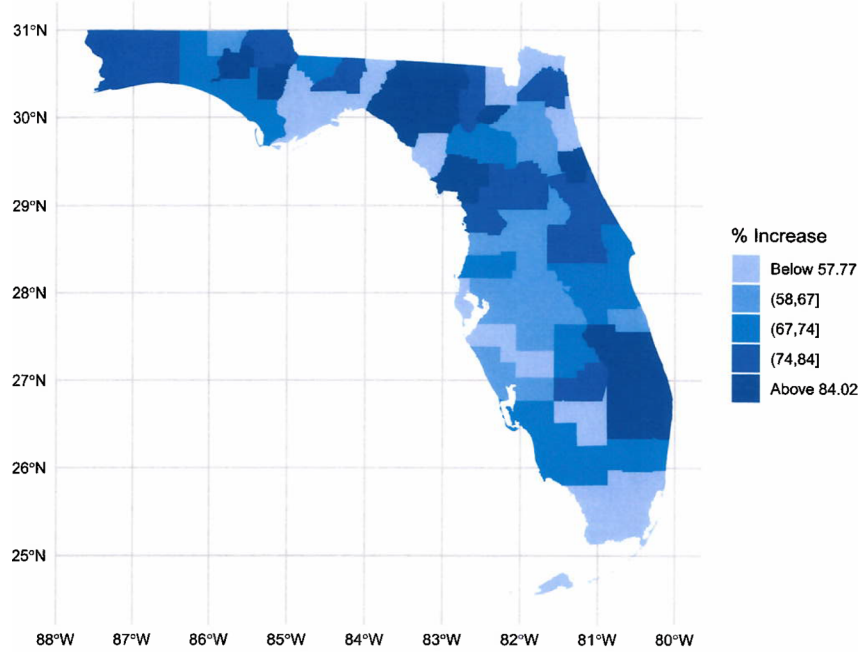


Non-Renewal Rate Increase (p.p.) 2018 – 2023, FL
County Level. Counties with < 500 policies are filled with the state average (7%).

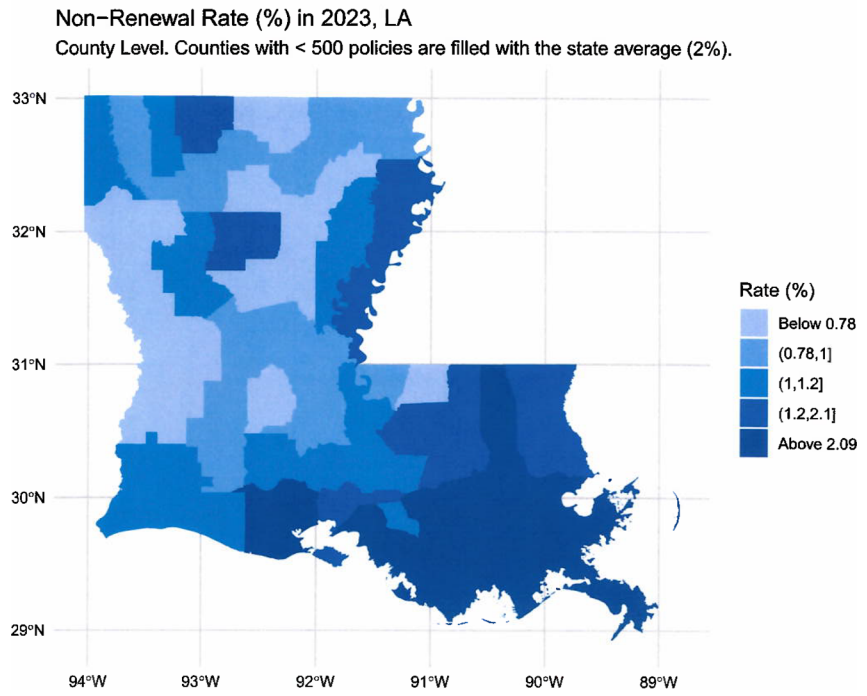




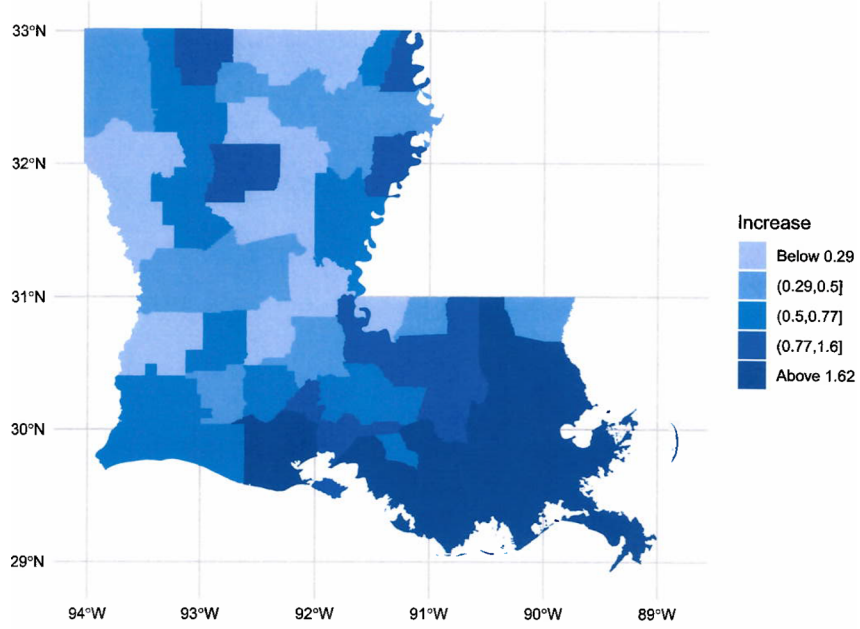
Premium % Increase 2018 – 2023, FL
County Level



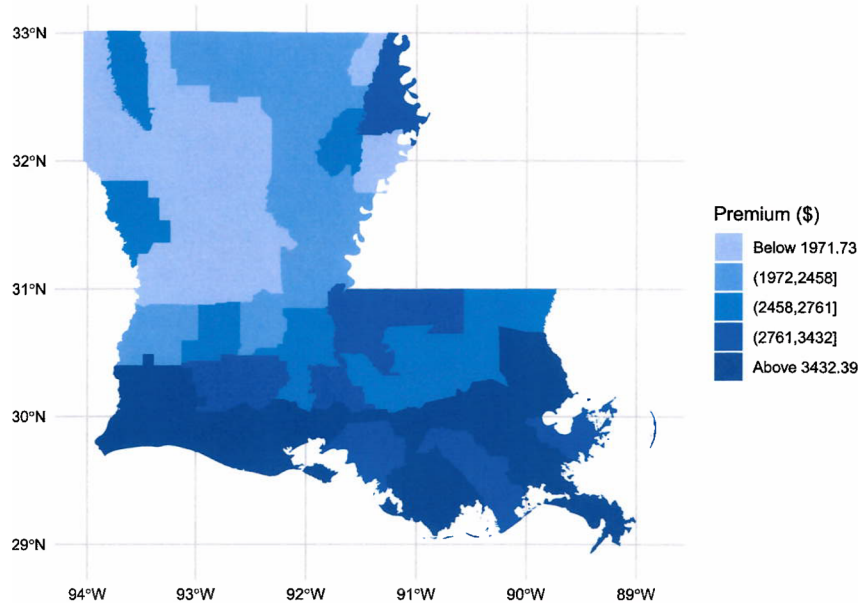
Map 8.C: Select County-Level State Maps [Louisiana]



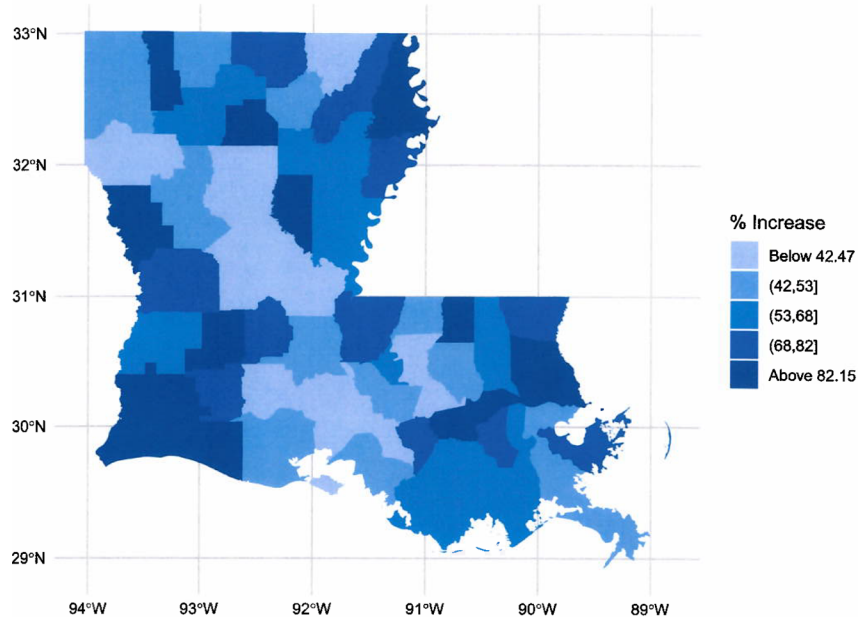
Non-Renewal Rate Increase (p.p.) 2018 – 2023, LA
County Level. Counties with < 500 policies are filled with the state average (2%).



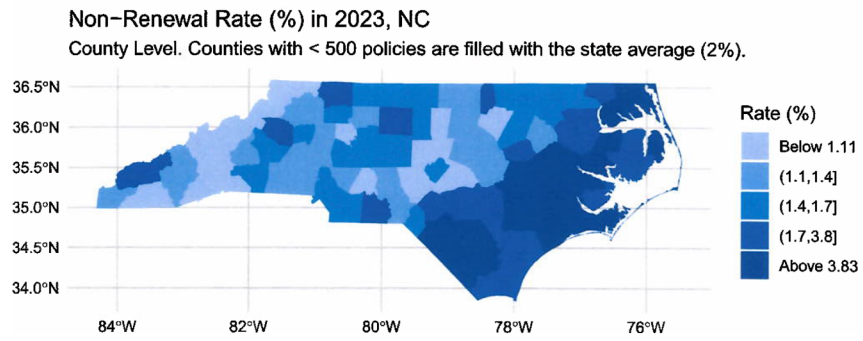
Annual Premium (\$) in 2023, LA
County Level

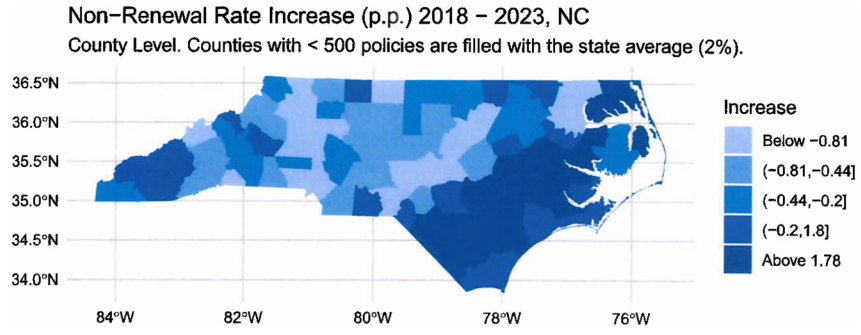


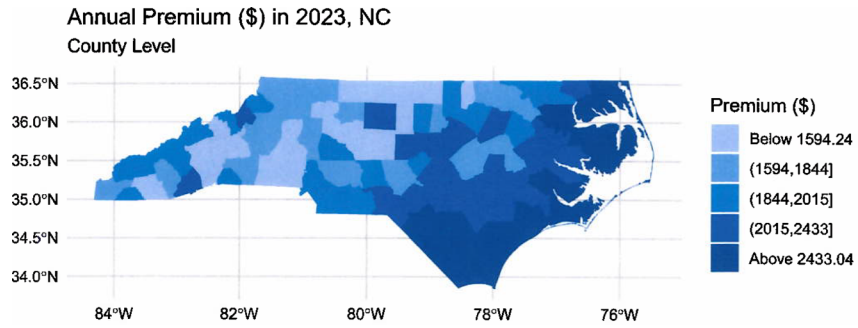
Premium % Increase 2018 – 2023, LA
County Level

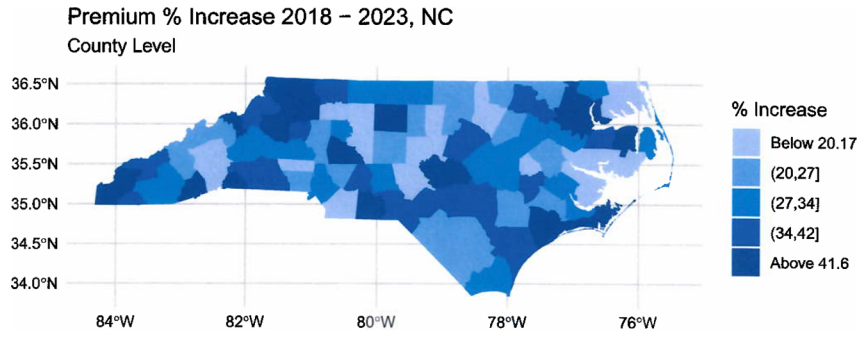


Map 8.D: Select County-Level State Maps [North Carolina]





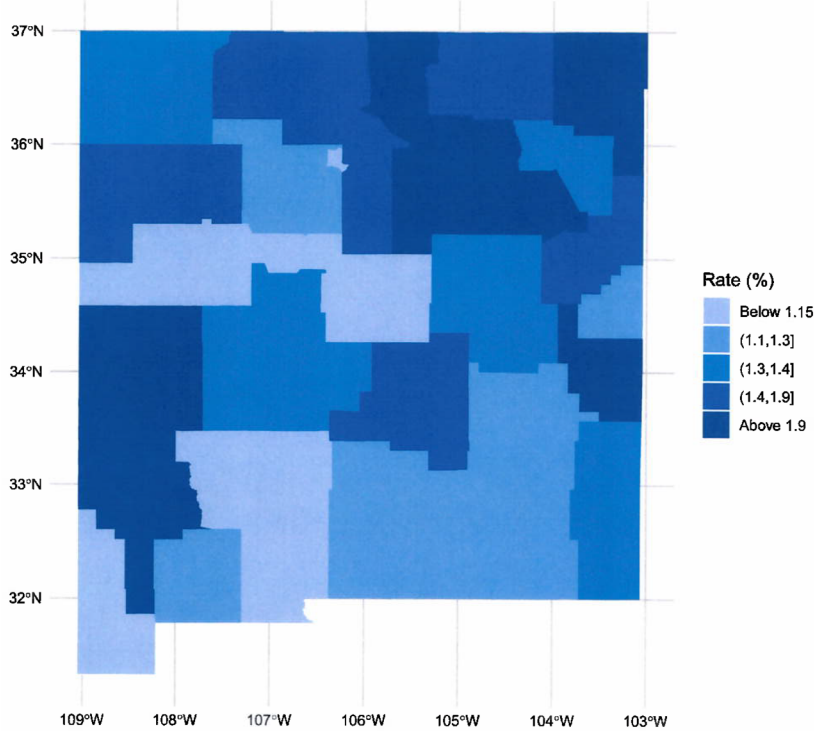




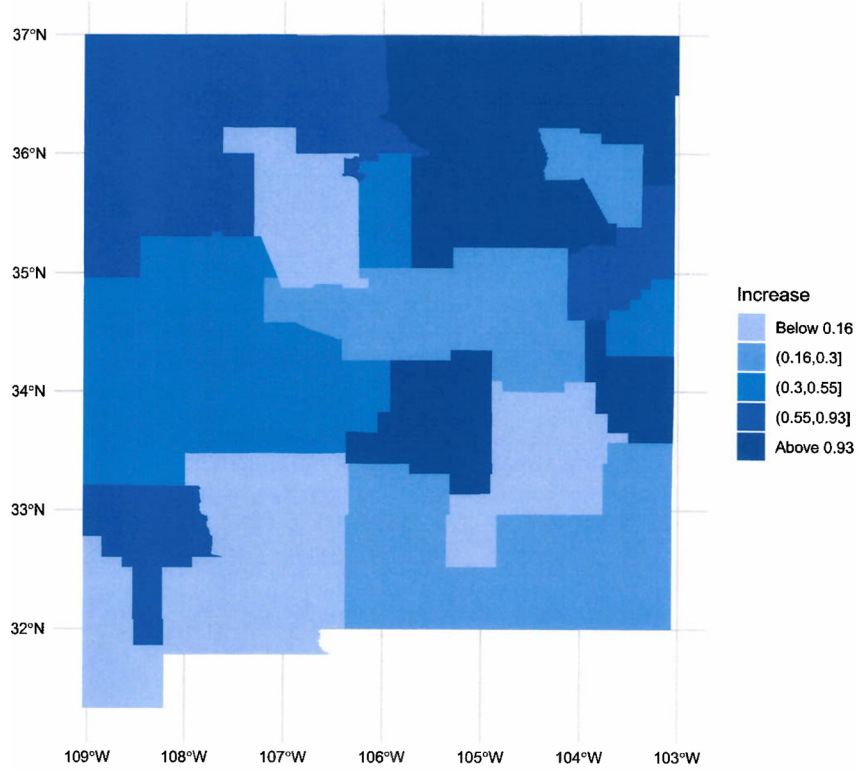
Map 8.E: Select County-Level State Maps [New Mexico]

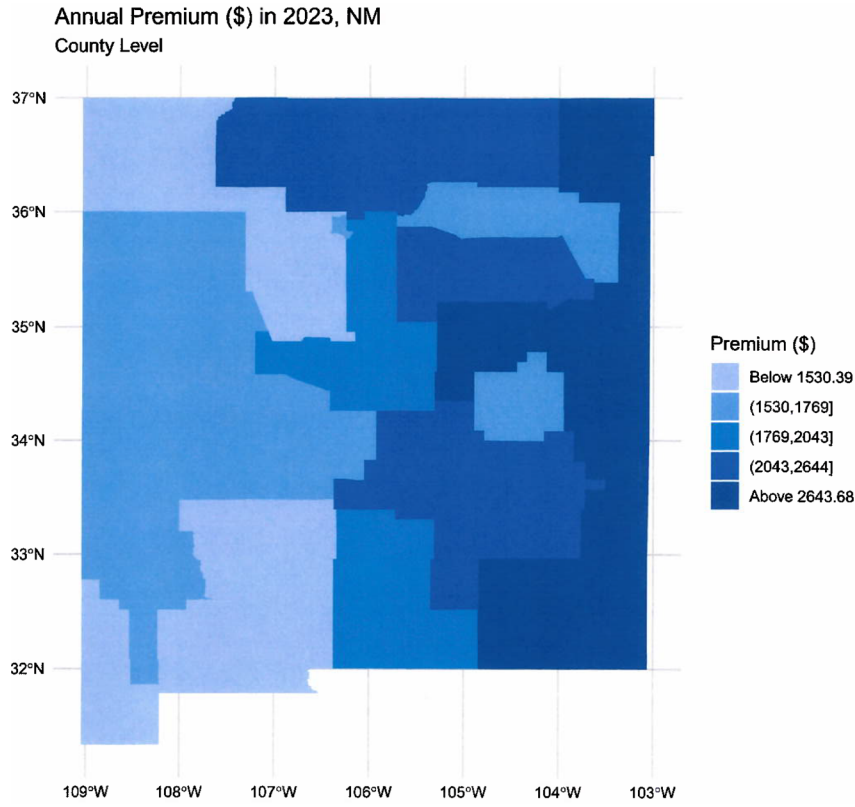
Non-Renewal Rate (%) in 2023, NM

County Level. Counties with < 500 policies are filled with the state average (9%).

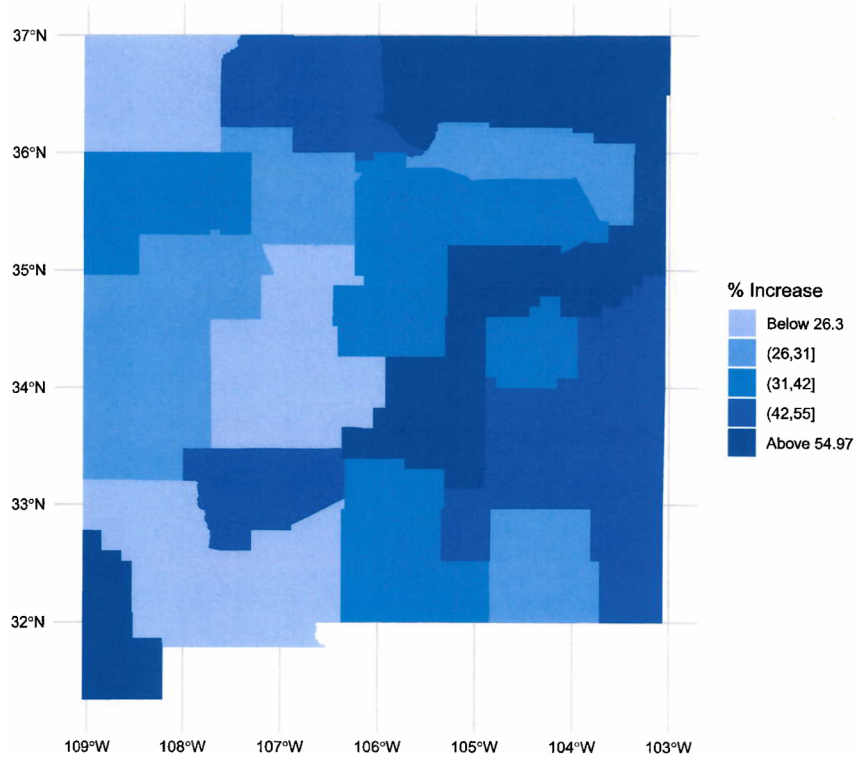


Non-Renewal Rate Increase (p.p.) 2018 – 2023, NM
County Level. Counties with < 500 policies are filled with the state average (9%).

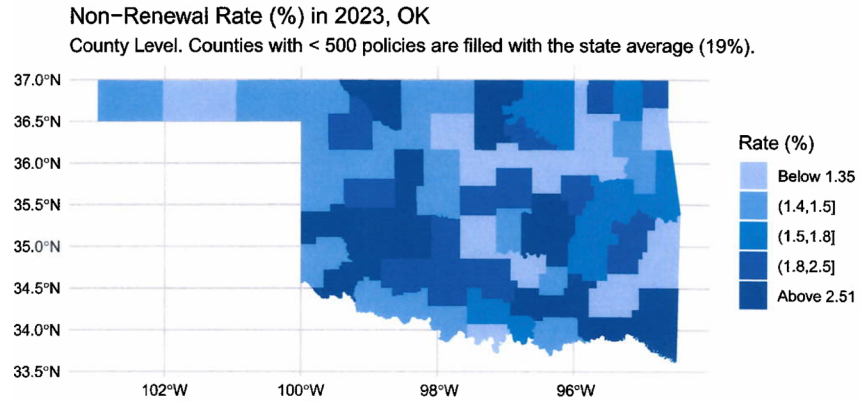




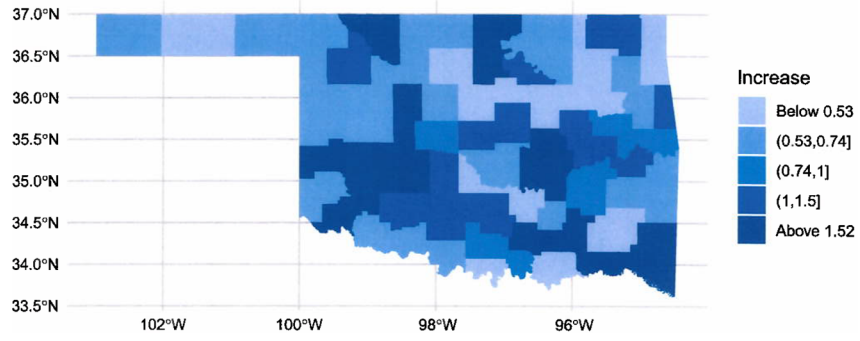
Premium % Increase 2018 – 2023, NM
County Level

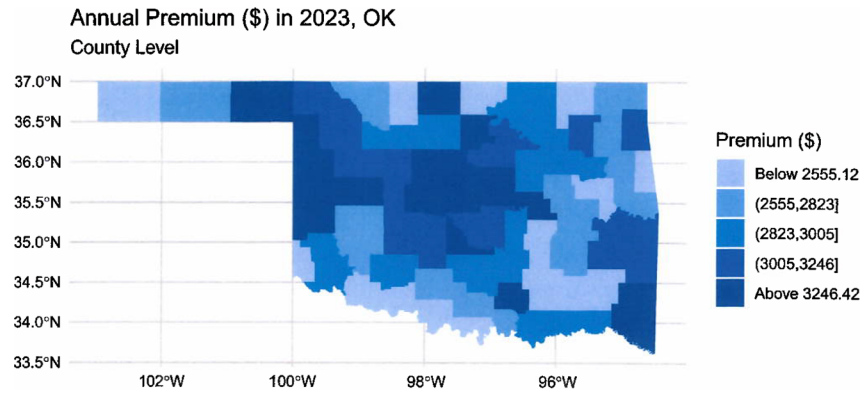


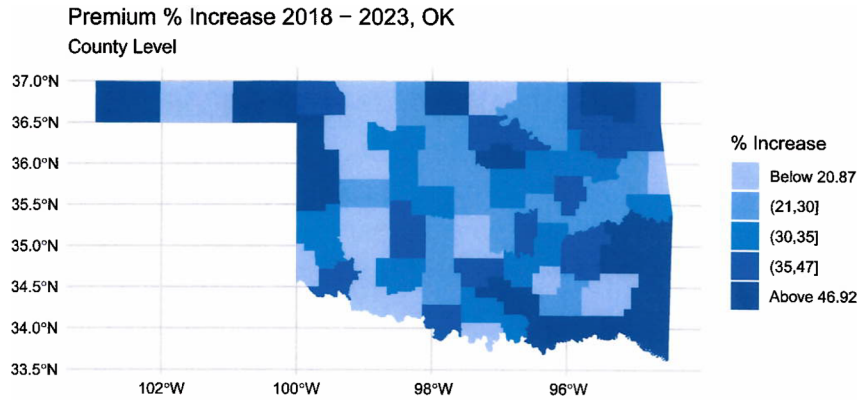
Map 8.F: Select County-Level State Maps [Oklahoma]



Non-Renewal Rate Increase (p.p.) 2018 - 2023, OK
County Level. Counties with < 500 policies are filled with the state average (19%).

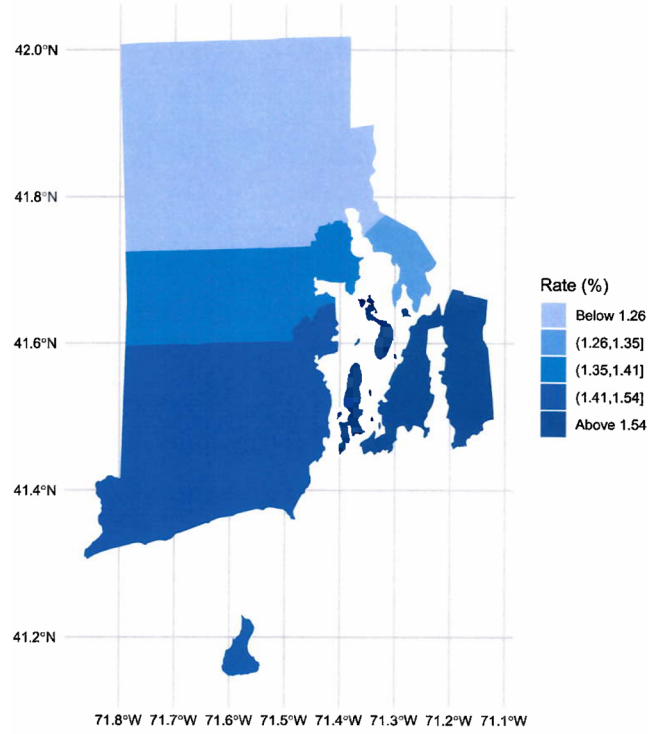




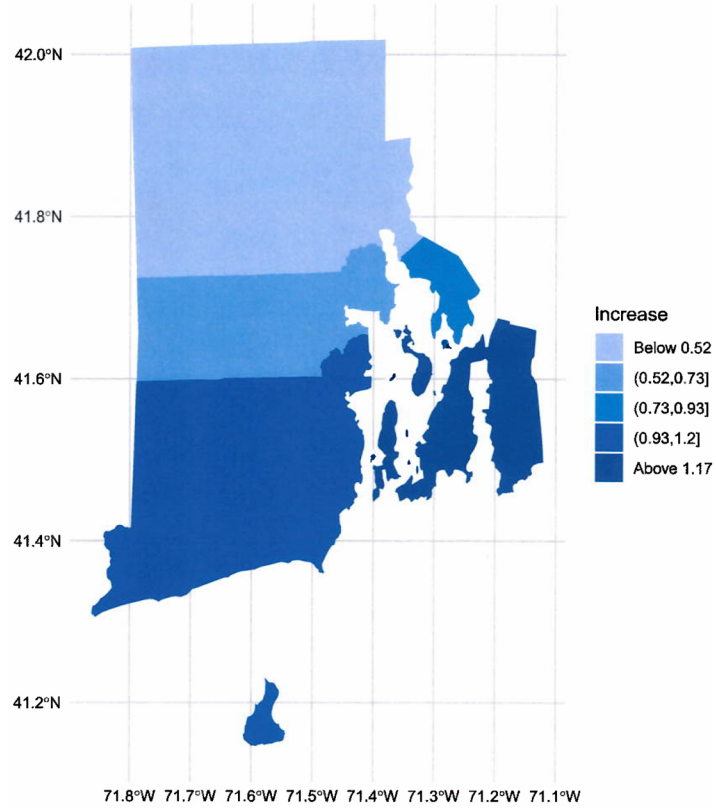


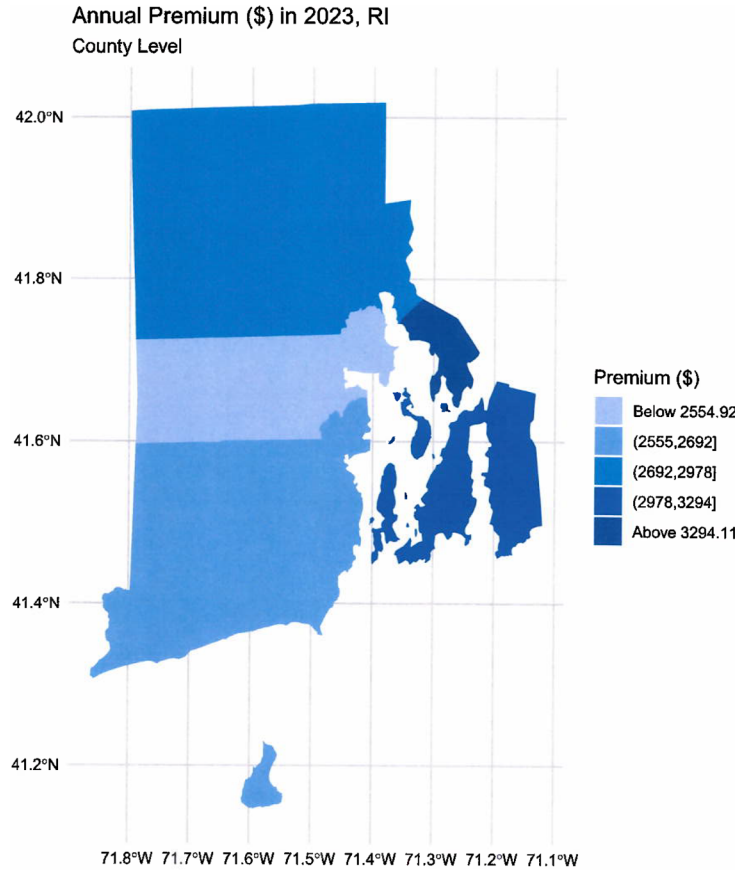
Map 8.G: Select County-Level State Maps [Rhode Island]

Non-Renewal Rate (%) in 2023, RI
County Level

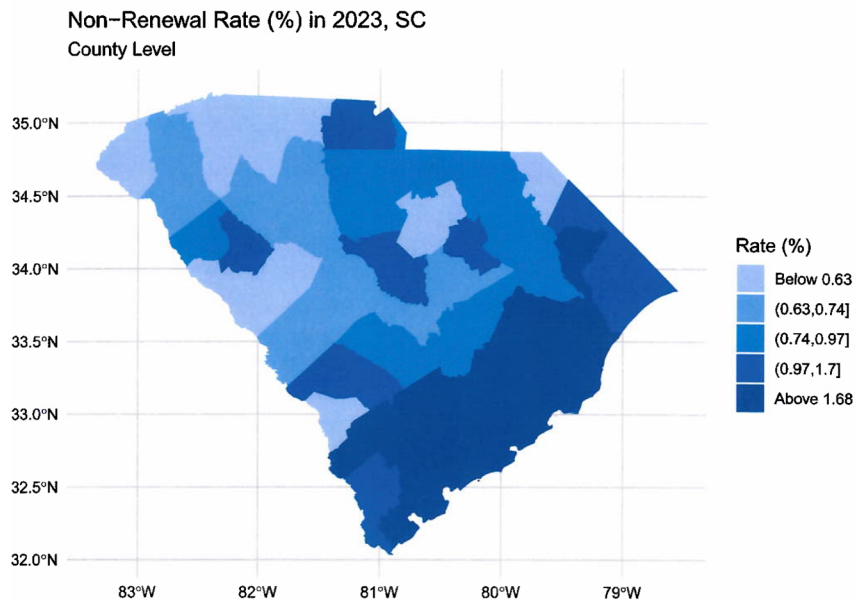


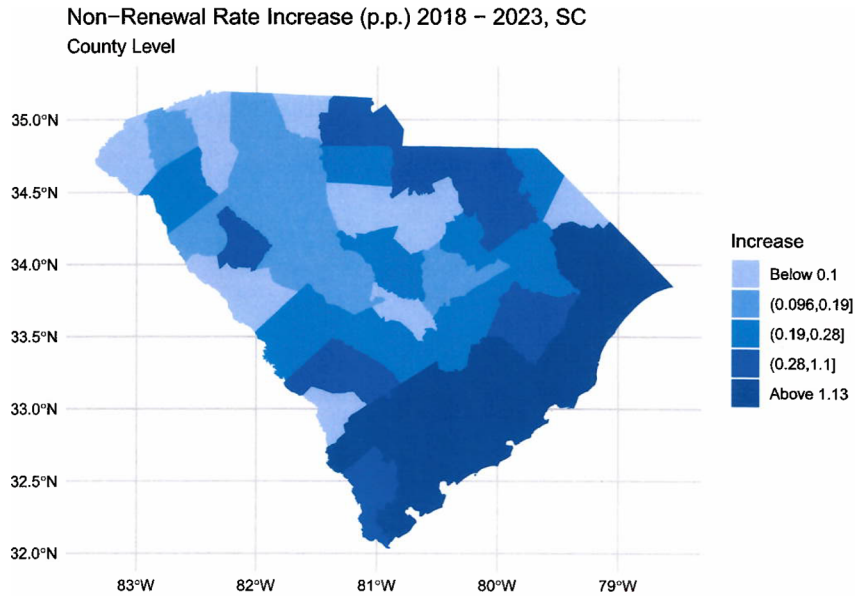
Non-Renewal Rate Increase (p.p.) 2018 – 2023, RI
County Level

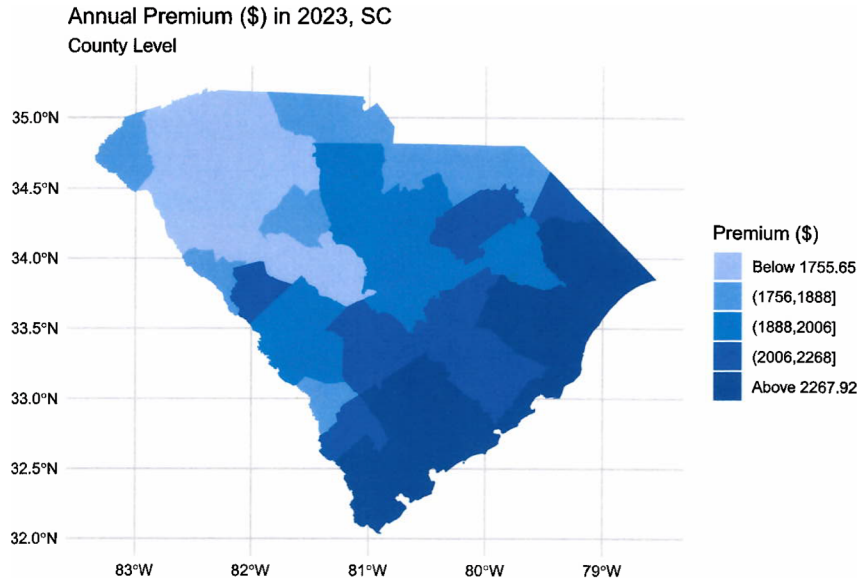


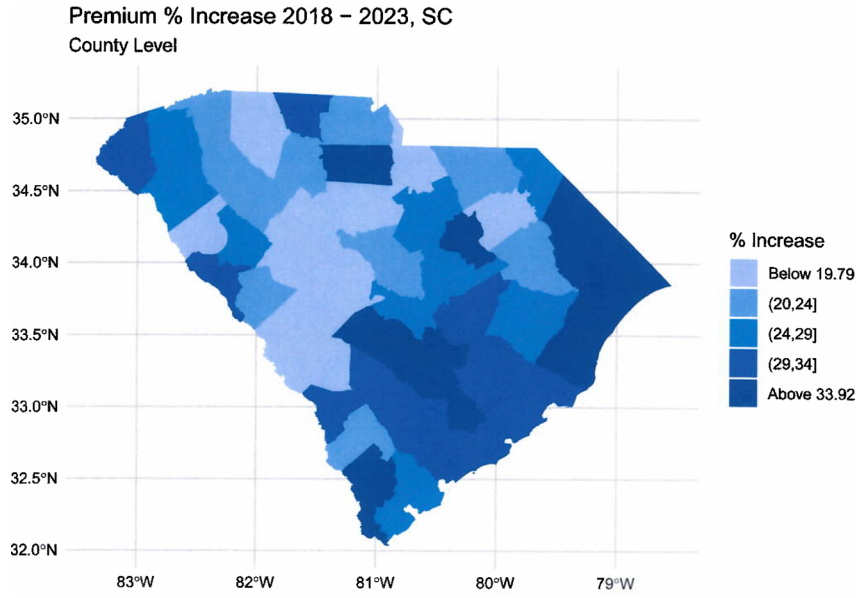


Map 8.H: Select County-Level State Maps [South Carolina]



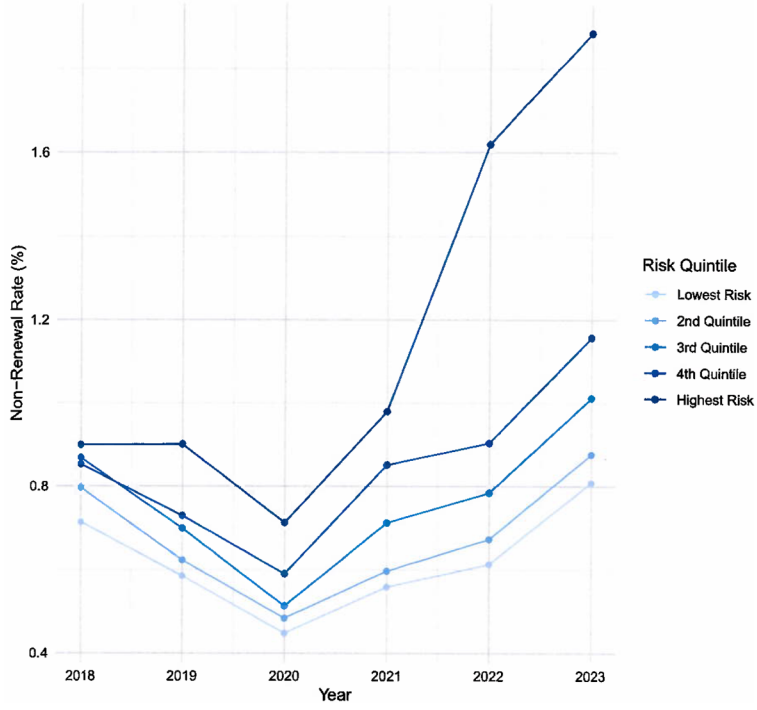




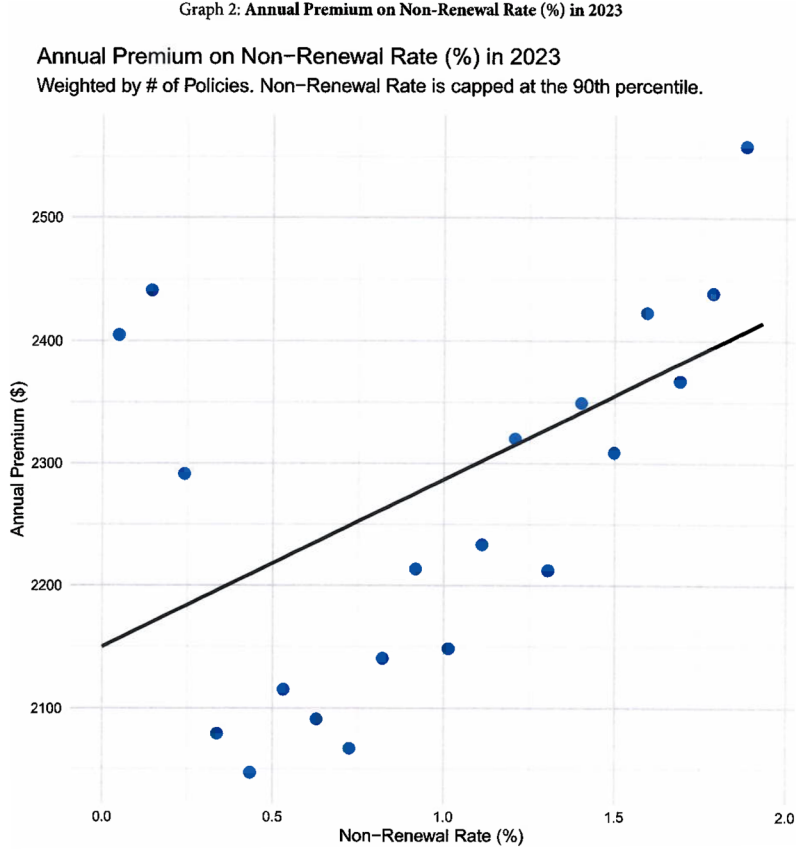


Graph 1: Non-Renewal Rate (%) by Climate Risk Quintile

Non-Renewal Rate (%) by Climate Risk Quintile
Mean County Rate, Weighted by # of Policies

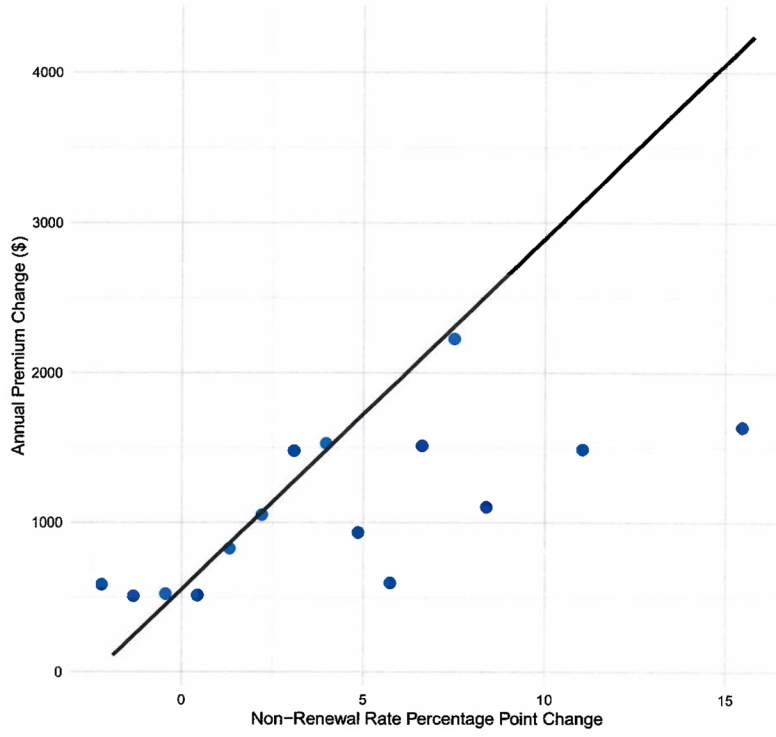


Graph 2: Annual Premium on Non-Renewal Rate (%) in 2023



Graph 3: Annual Premium Change on Change in Non-Renewal Rate, 2018 – 2023

Annual Premium Change on Change in Non-Renewal Rate, 2018 – 2023
Weighted by # of Policies. Changes are in levels.



Senator WHITEHOUSE. I have also a letter here from CREW, Citizens for Responsibility and Ethics in Washington, regarding the Zeldin nomination.

Senator CAPITO. Without objection.

[The referenced information follows:]

Testimony Submitted for the Record
Senate Committee on Environment and Public Works
Hearing on the Nomination of the Honorable Lee M. Zeldin to be Administrator of the
Environmental Protection Agency

**By Donald K. Sherman, Executive Director and Chief Counsel, Citizens for Responsibility
and Ethics in Washington**

January 16, 2025

Chairman Capito, Ranking Member Whitehouse and members of the Committee, thank you for the opportunity to submit testimony regarding the nomination of Lee Zeldin to be Administrator of the Environmental Protection Agency (EPA).

My organization, Citizens for Responsibility and Ethics in Washington (CREW), is a nonpartisan nonprofit organization dedicated to fighting corruption and preserving ethical democracy. Among our other work, CREW aims to hold officials in all three branches of government accountable for conflicts of interest between their public duties and their private finances. I write today to highlight the conflicts between Lee Zeldin's personal financial interests and the duties of the office for which he has been nominated.

The EPA is responsible for enforcing the laws Congress passes to protect the health and well-being of the environment and the public.¹ The EPA is crucial in the nation's efforts to maintain clean air and water, conserve its natural resources and raise awareness about environmental risks across all levels of government.² At the heart of the EPA's work is its regulation of private industry across a diverse range of sectors, from agriculture and transportation to dry cleaning and furniture manufacturing.³ When businesses or individuals violate environmental law and regulations, it can threaten the health and safety of Americans in urban, suburban and rural communities across the country. The EPA's work to impose civil or criminal penalties on violators through a variety of enforcement actions is integral to protecting the lives and livelihoods of your constituents and countless others.⁴

¹ U.S. Environmental Protection Agency, *Our Mission and What We Do*, <https://www.epa.gov/aboutepa/our-mission-and-what-we-do>.

² *Id.*

³ U.S. Environmental Protection Agency, *Agriculture Sectors: Crop (NAICS 111) and Animal (NAICS 112)*, <https://www.epa.gov/regulatory-information-sector/agriculture-sectors-crop-naics-111-and-animal-naics-112>; U.S. Environmental Protection Agency, *Transportation and Warehousing Sector (NAICS 48-49)*,

<https://www.epa.gov/regulatory-information-sector/transportation-and-warehousing-sector-naics-48-49>; U.S. Environmental Protection Agency, *Dry Cleaning Sector (NAICS 8123)*,

<https://www.epa.gov/regulatory-information-sector/dry-cleaning-sector-naics-8123>; U.S. Environmental Protection Agency, *Furniture Manufacturing Sector (NAICS 337)*,

<https://www.epa.gov/regulatory-information-sector/furniture-manufacturing-sector-naics-337>.

⁴ U.S. Environmental Protection Agency, *Basic Information on Enforcement*, <https://www.epa.gov/enforcement/basic-information-enforcement>.

Given this broad mandate, EPA activity also has a direct impact on private industry, which in turn has a vested interest in influencing the agency to its benefit. It is for that reason that Mr. Zeldin's apparent conflicts of interest are so concerning. Mr. Zeldin's financial disclosures reveal that he has been paid more than \$100,000 to write a number of op-eds in several publications since leaving Congress in 2023.⁵ Three of those op-eds were related to environmental policy: two op-eds on corporate environmental, social and governance (ESG) practices, and another on New York State's climate goals and fracking policy.⁶ Mr. Zeldin's disclosure reveals that he was paid to write these op-eds by three public relations firms: CRC Advisors, DCI Group and CGCN Group.⁷ It is unclear on behalf of which clients these public relations firms paid Mr. Zeldin, but certainly they are not representative of the everyday Americans who rely on EPA's enforcement of our environmental laws. It is likely, moreover, that those clients have a vested interest in influencing public opinion and public policy on climate and environmental policy and could be among the industries that EPA conducts oversight of or has previously imposed criminal and civil penalties on. For instance, CGCN Group's clients include the American Petroleum Institute and multiple energy companies, while CRC's clients include Chevron.⁸

It is a bedrock principle of American democracy that public officials serve the public good, not their own private interests. Codified in 18 U.S.C. § 208, federal conflict of interest laws bar government officials from acting on matters in which they, or someone whose interests are imputed to them, have a financial stake.⁹ These payments, made on behalf of clients whose identity the public does not know, for the purpose of writing op-eds on topics closely related to the functions of the EPA, make more salient questions about whether Mr. Zeldin, if confirmed, will act in the best interests of the public, rather than in service to private

⁵ Bryan Metzger, *Trump's pick to lead EPA was paid tens of thousands to write op-eds criticizing climate policies and ESG*, Business Insider (Jan. 12, 2025), <https://www.businessinsider.com/trump-epa-nominee-lee-zeldin-financial-disclosure-editorials-esg-climate-2025-1>.

⁶ Lee Zeldin, *How Congress Can Stop the Next FTX*, RealClear Policy (Mar. 3, 2023), https://www.realclearpolicy.com/articles/2023/03/03/how_congress_can_stop_the_next_ftx_885118.html; Lee Zeldin, *War on ESG investing must shift focus to proxy advisers*, Newsday (Aug. 10, 2024), <https://www.newsday.com/opinion/commentary/guest-essays/esg-investing-yte5q4zn>; Lee Zeldin, *New York targets beef producers but can't meet its own climate goals*, Fox News (July 31, 2024), <https://www.foxnews.com/opinion/new-york-targets-beef-producers-cant-meet-its-own-climate-goals>.

⁷ Lee Zeldin, *Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)*, U.S. Office of Government Ethics (Dec. 31, 2024), <https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/B4586F4FD7718EA485258C0F00336FAE/%24F1E/Zeldin%2C%20Lee%20%20final278.pdf>.

⁸ OpenSecrets, *Lobbying Firm Profile: CGCN Group*, <https://www.opensecrets.org/federal-lobbying/firms/summary?cycle=2024&id=D000032643>; Peter Wade and Andrew Perez, *Trump's EPA Pick Has Been Writing Op-eds on Behalf of Secret Clients*, Rolling Stone (Jan. 12, 2025), <https://www.rollingstone.com/politics/politics-news/lee-zeldin-trump-epa-op-eds-1235233073>.

⁹ 18 U.S.C. § 208.

companies who seek to influence EPA policy. Before considering Mr. Zeldin's nomination, the Senate must first receive adequate transparency from Mr. Zeldin about his financial entanglements, and assurances that he will be in compliance with conflict of interest laws and will recuse himself when required by law. To that end, Mr. Zeldin must disclose to this committee who the clients were that paid for his op-eds, demonstrate that the payments he has received will not improperly influence his policymaking judgment as EPA administrator and promise to recuse from matters when necessary.

The EPA administrator is a guardian of the nation's environment, public health and well-being. As this committee well knows, to be confirmed to this position, a nominee must demonstrate that they possess the requisite temperament and disposition to be entrusted with such responsibility. In order to ensure that Mr. Zeldin can perform the duties of EPA administrator on behalf of the American public without bias or financial conflicts, and to properly fulfill its constitutional duty to advise and consent on a president's cabinet nominees, the Committee must inquire into the relevant op-ed payments Mr. Zeldin received last year, and receive assurances that those payments will not impact his decision making if confirmed. We thank the Committee for taking seriously its consideration of this nomination and its fidelity to our federal conflicts of interest laws.

Senator WHITEHOUSE. Finally, I have a letter dated January 15th, 2025 submitted by the Climate Action Campaign and signed by over 70 environmental organizations concerning the nomination.

Senator CAPITO. Without objection, so ordered.

[The referenced information follows:]

January 15, 2025

Dear Senator,

On behalf of our millions of members we call on you to protect public health, clean air, clean water, and the climate. The Environmental Protection Agency needs an administrator who centers public health, follows the science and will protect civil servants. With so much at stake, we can't support any nominee for the next leader of the U.S. Environmental Protection Agency (EPA) unless they share that same commitment.

EPA nominee Lee Zeldin's [track record on the environment](#) does not measure up to the necessary climate, clean air, and clean water actions required to fulfill the [EPA's official mission](#) to protect human health and the environment. During his time as a U.S. representative, Mr. Zeldin voted in favor of more [toxic mercury pollution](#), to [block carbon pollution limits for power plants](#), [against appropriations that extended the national flood insurance program](#), [against the Inflation Reduction Act](#), and against [the US commitment to the Paris Agreement](#). And, in 2022, he voted to [cut funding](#) from the very agency he is vying to lead.

The [majority of voters](#) across party lines do not want the EPA's budget to be slashed nor do they want environmental injustices to go ignored. Instead, in recent polls, voters across party lines have overwhelmingly expressed their support for expanding [clean energy and climate resiliency](#), protecting public health, and [investing in communities](#) overburdened by pollution.

Failing to tackle climate change and health-harming pollution is dangerous and costly. The 2024 Atlantic hurricane season was the [deadliest hurricane year](#) in almost two decades and 2024 was the [hottest year on record](#) for the second year in a row, as [climate pollution](#) continues to fuel the intensity of extreme weather events. The cost of extreme weather events in 2024 [exceeded \\$180 billion](#). Additionally, the American Lung Association's 2024 State of the Air report found that over 100 million Americans live in areas with [unhealthy levels of air pollution](#). Climate change-fueled [extreme heat](#) and [health-harming pollution](#) disproportionately impact communities of color and low-income communities, due to the legacies of discriminatory policies such as [redlining](#). While Mr. Zeldin has acknowledged climate change, his [track record](#) demonstrates his willingness to side with the fossil fuel industry over science and the public interest. We believe he cannot lead the EPA effectively if he upholds the new administration's denial of the problem.

Americans didn't vote for dirtier air, more asthma attacks, sick kids, and climate-fueled extreme weather disasters, but President-elect Trump has tasked the next EPA administrator with rolling back protections that cut pollution. It's the deregulatory agenda that Mr. Zeldin has [promised](#) and is laid out in the Project 2025 blueprint.

Americans deserve an experienced leader who will uphold and advance the mission of EPA. We urge you to oppose his nomination.

Sincerely,

Alliance of Nurses for Healthy Environments	Michigan Sustainable Business Forum
Animal Welfare Institute (AWI)	National Employment Law Project
Bold Alliance	Natural Resources Defense Council
Climate Action Campaign	New Mexico Environmental Law Center
Change the Chamber	New Mexico Wild
Clean Water Action	NutureLogic LLC
Climate Crisis Policy	Oil Change International
Climate Hawks Vote	Partnership for Policy Integrity
Climate Psychiatry Alliance & UCSF	People's Justice Council
Medical School	Physicians for Social Responsibility
Concerned Citizens of Cook County (GA)	Physicians for Social Responsibility PA
Dayenu: A Jewish Call to Climate Action	Public Citizen
Earthjustice	Respiratory Health Association
Earthworks	Sierra Club
Elders Climate Action	Sierra Club - Grand Canyon (AZ) Chapter
Engaged Citizen Against Fracking	Sierra Club Pennsylvania Chapter
Environmental Protection Information	Southern Utah Wilderness Alliance
Center- EPIC	Standing Trees
Evergreen Action	Sunrise Movement
FreshWater Accountability Project	The Earth Bill Network
Friends of the Earth	Turn Nassau Blue
Georgia Interfaith Power and Light	Turtle Island Restoration Network
Great Lakes Business Network	Union of Concerned Scientists
Green America	Unlimited Potential
Green The Church	Utah Physicians for a Healthy Environment
GreenLatinos	Venice Resistance
Greenpeace USA	Voices for Progress
Groundwork Center For Resilient	Washington Wild
Communities	WE ACT for Environmental Justice
Group Against Smog & Pollution	Western Watersheds Project
Healthy Ocean Coalition	Womxn From The Mountain
Indivisible Marin	
Inland Ocean Coalition	
Institute for a Progressive Nevada	
Interfaith Power & Light	
Jewish Earth Alliance- PA	
KAO Consulting	
Kettle Range Conservation Group	
League of Conservation Voters	
Medical Students for a Sustainable Future	
Michigan Clinicians for Climate Action	
Michigan League of Conservation Voters	

Senator WHITEHOUSE. Great. Thank you very much, Chairman.

Mr. Zeldin, welcome. As we discussed when we met, I said I was going to ask you some really basic, no-tricks questions about climate change. Let me just start with those. First, as a matter of law, is carbon dioxide a pollutant?

Mr. ZELDIN. Thank you, Senator. I enjoyed our meeting with your team as well, and I look forward to working with all of you.

As far as carbon dioxide emitted from you during that question, I would say no. As far as carbon dioxide that is emitted in larger masses that we hear concern about from scientists as well as from Congress, that is something that certainly needs to be focused on for the EPA.

Senator WHITEHOUSE. As a matter of law, it is a designated pollutant, correct?

Mr. ZELDIN. Senator, while carbon dioxide is not named as one of the six in the Clean Air Act, the EPA has been treating it as such.

Senator WHITEHOUSE. Yes, because of a Supreme Court decision that said so, correct?

Mr. ZELDIN. Correct, yes, Senator.

Senator WHITEHOUSE. What effect, briefly and in layman's terms, I know you are not a scientific expert, what effects are carbon dioxide emissions from fossil fuel combustion having in the atmosphere?

Mr. ZELDIN. Senator, while I am someone who believes strongly that we should work with the scientists, leaving the science to the scientists, the policy to the policymakers, and that we all work together, I do not sit before you as a scientist. Fortunately, at EPA, we do have many talented scientists who provide that research. They have that talent to be able to tell us exactly what the metrics are of their research.

Senator WHITEHOUSE. Just generally, and in layman's terms, what effects do these carbon dioxide emissions have when they enter the atmosphere?

Mr. ZELDIN. Trapping heat, Senator.

Senator WHITEHOUSE. What effect, again, briefly and in layman's terms, does methane leakage from fossil fuel production and transport have in the atmosphere?

Mr. ZELDIN. Same.

Senator WHITEHOUSE. Heat trapping, also. What effect, I am from the Ocean State, so I have to ask this one: what effect are carbon dioxide emissions from fossil fuel combustion having in the oceans?

Mr. ZELDIN. Well, the emissions of greenhouse gases trap heat. As far as your concern that you expressed at the onset of your testimony, as you showed that map of Rhode Island, and as you suggested, and as I mentioned, I represented a district on the east end of Long Island, rising sea levels are concerns where I am from, as well. It is one of the reasons why the Federal Government, through the Army Corps, had to invest in an Army Corps of Engineers project with the revetment of Montauk Lighthouse with fear that if we did not do that, that Montauk Lighthouse, and due to erosion, would be collapsing into the ocean.

Senator WHITEHOUSE. Is it correct that the trapped heat from carbon dioxide emissions and methane in the atmosphere is heating up the oceans? In fact, 90 percent of the heat goes into the oceans, and that is what is producing the sea level rise you just discussed?

Mr. ZELDIN. That is what the scientists tell me, Senator.

Senator WHITEHOUSE. Yes. Are the oceans also absorbing about 30 percent of the carbon dioxide itself, and therefore, chemically turning more acid in measurable and clear ways?

Mr. ZELDIN. Senator, as far as any specific numbers, I have to defer to the research of the scientists.

Senator WHITEHOUSE. Generally, that is happening, there is a link between the fossil fuel emissions and the acidification of the oceans.

Mr. ZELDIN. Yes, Senator, I do understand that there is litigation here that to a certain extent, I am not going to be able to comment on as EPA Administrator. To the general question, yes, Senator.

Senator WHITEHOUSE. Have we hit the 1.5-degree risk threshold, and why is that important?

Mr. ZELDIN. Senator, again, as far as being able, throughout today's hearing, to be able to personally be citing and confirming specific numbers, that is something where I have to defer to the talented scientists to be able to provide that advice on an ongoing basis, whether or not we are hitting numbers at any given time.

Senator WHITEHOUSE. If you are confirmed, what are the key either climate or oceans tipping points that would concern you?

Mr. ZELDIN. As far as the tipping point, Senator, I think that as you put up a map of your district and your State, I could put up a map of mine and we could do this across the entire Country. As long as that concern exists, where there is, in fact, rising sea levels, and I hear it from both sides of the aisle, Senator Collins spoke about it in the context of—

Senator WHITEHOUSE. Let me pop in one last question before my time runs out, I am sorry. Are we now on a pathway to climate safety, or do we need to do more to reduce carbon emissions in order to get on that pathway?

Mr. ZELDIN. Senator, the United States emissions have been going down over the course of the last couple of decades. Unfortunately, there are other countries where it is not going in the same direction, and I would say that we will have never done enough to ensure that our water and our air is clean, safe, and healthy. Whatever we do every day to achieve this objective, we need to wake up the next day looking for ways to do more.

Senator WHITEHOUSE. Thank you.

Senator CAPITO. Yes. Let me just explain to the committee, since this is my first rodeo here. What we are going to do is, whoever is here at the gavel, we will then put you in line for questioning according to seniority in the dais, and then as you come in, if you come in after I gavel down, you would be placed in line for questions. Certainly, if people need adjustments, we are willing to look at that, but that is going to be the tradition of the committee that we have agreed on.

We will go to Senator Cramer.

Senator CRAMER. Thank you, Chair Capito and Ranking Member Whitehouse. Congratulations to both of you for assuming these important leadership roles.

Congratulations to you as well, my former colleague in the House, Mr. Zeldin. Thanks for stepping in the gap and taking on this big challenge. I know that Chair Capito has already talked a little bit about what is a really, really important issue for me and, I think, for a lot of us, obviously. That is, an appropriate cooperative federalism role between the State and Federal Governments. There is a lot of opportunity to do that the right way and a lot of opportunity to do it the wrong way at the EPA.

I am going to point to one specific case that I think you are probably familiar with, and that is, of course, the Waters of the United States. You are, no doubt, aware of that legal, what I call, fiasco surrounding the definition of what constitutes a “waters of the United States.” This has been in litigation ping pong for a long time.

The first question is a simple one, Mr. Zeldin. When you read the Sackett decision authored by Justice Alito, would you describe it as prescriptive or ambiguous as it comes to the definition of a federally jurisdictional water?

Mr. ZELDIN. It was clear and prescriptive.

Senator CRAMER. It was. When the decision was issued, the Biden Administration officials even told me that the direction from the Supreme Court was clear, that they didn’t leave a lot of ambiguity.

Here is one portion that I wanted to chat with you about, because I believe it is particularly instructive, should you be confirmed: “Finally, it is also instructive that the Clean Water Act expressly protects the primary responsibility and rights of States to prevent, reduce, and eliminate pollution and to plan the development and use of land and water resources. It is hard to see how the State’s role in regulating water resources would remain primary if the EPA had jurisdiction over anything defined by the presence of water.”

Now, I was tempted to bring the poster, but in previous definitions, as they have gone back and forth, there is one that Sackett was based on, actually, or that would be relevant to Sackett, wherein the entire State of North Dakota was basically a Federal wetland. We are a semi-arid State with badlands and big prairies.

Should you be confirmed, it would be really good if the Administrator took this decision and the legislative history behind it and started a rulemaking process post-Sackett with the assumption that States have primacy and primary responsibility for water within their States, not the Federal Government. How do you intend to approach that? This post-Sackett WOTUS definition is going to be really, really important.

Mr. ZELDIN. Yes, Senator. With any rulemaking, as you know, not a lot to prejudge outcomes going in. It is important that corners are not cut, where durability is sacrificed. Laws are written by Congress, and there are cases that have come out from the Supreme Court that provide the EPA with clear guidance on how we must do our job under the law.

It is important that when you are going back to your home State and you are speaking to your farmers that you are able to, with confidence, be able to explain to them that the Federal Government is doing our part, so they can define what waters of the U.S. are without them having to go hire an attorney or someone else, pay a lot of money, to ensure compliance.

I will make sure that I am doing my part, that the EPA is honoring the decision of Sackett and any future laws to come out of Congress. That is my commitment to you, and I know that was important when I met with Senator Sullivan as he was speaking about Alaska and wetlands, and so many other people on this committee. I look forward to working with you on that.

Senator CRAMER. Great answer. I appreciate that very much.

One of the things that concerns me is when I have heard, and realizing, with regard to WOTUS, you have two agencies that get involved: the permitting side at the Corps of Engineers and the EPA rulemaking, but one of the things in terms of a durable rule that I heard from some, from the current Administration, was that we are going to create a durable rule.

I think the way to do that is to make sure that while we recognize that the law is clear now, the definition is clear, all you have to do is seek a jurisdictional determination from us, the almighty, and then we will tell you whether your land meets that definition or not, to which I say, we do not put a police officer on every car.

Can we presume that, on the very obvious, simple cases, that the landowner or the developer already knows the law and does not need to seek permission to do what they want to do?

Mr. ZELDIN. Unfortunately, we face a reality where many farmers do not know whether or not their land, not just farmers, obviously, but a lot of people do not know whether or not their land has waters of the U.S. on it. I would say that that is a failure of the part of the Federal Government. You should be able to go to your landowners, and they should be able to, with confidence, be able to tell you, without having to ask questions, whether or not waters of the U.S. are on their property.

Senator CRAMER. Thank you for that. I can tell you, North Dakota farmers are pretty bright. They know, it is just that the bureaucrats didn't. Now, hopefully, the Supreme Court has cleared that up. Thank you.

Senator CAPITO. Thank you.

Senator SANDERS?

Senator SANDERS. Thank you, and congratulations on your title here. Mr. Zeldin, thanks so much for coming into the office the other day. I enjoyed our chat.

Mr. Zeldin, 2024, as you know, was the hottest year in recorded history. The past 10 years have been the hottest 10 years on record. We have seen, in recent years, unprecedented forest fires in the west coast and in Canada, and we are seeing the horrific situation in L.A. right now. We have seen unprecedented flooding in China, displaced millions of people there, unprecedented drought in Brazil, Africa, and elsewhere, and in Southern Africa, people are dying because of the drought and their inability to grow crops. Billions of people have been sweltering in Europe and elsewhere in unprecedented heat waves.

In the midst of all of that, President-elect Trump has said that climate change is a hoax. You will be, if confirmed, one of the leading spokespeople in this Country representing us throughout the entire world. Do you agree with President-elect Trump that climate change is a hoax?

Mr. ZELDIN. First off, Senator, it was great to meet with you as well. I believe that climate change is real, as I told you. As far as President Trump goes, the context that I have heard him speak about it was with a criticism of policies that been enacted because of climate change. I think that he is concerned about the economic costs of some policies where there is a debate and a difference of opinion between parties.

Senator SANDERS. I would respectfully disagree with you. I think he has called it a hoax time and time and time again.

I would just say for the record, let me ask you this question. Some of us have used the word existential threat. What we are seeing in L.A. right now is apocalyptic, and the other terrible weather disturbances, whether in the Midwest of this Country, whether in many States that are represented right here, unprecedented floods in my small State of Vermont. We have been hit over and over again in recent years. Our State capital, Montpelier, was underwater recently, in a way that we have not seen.

Would you describe climate change as an existential threat, meaning that there must be an urgency to get our act together to address it?

Mr. ZELDIN. Senator, we must, with urgency, be addressing these issues. Today, as we talk about any way at all that the EPA can do its part to make sure that our air and water are cleaner, healthier, and safer.

Senator SANDERS. The thing is, look, EPA has enormous responsibilities over an enormous number of areas. I am focusing on picking up what Senator Whitehouse said. I worry very much.

Do you have kids?

Mr. ZELDIN. Yes, Senator.

Senator SANDERS. Okay. I worry, many of us have kids, we have grandchildren. This is serious stuff. This is beyond politics, my friends. This is the future of humanity, and if we do not get our act together, and that is not just the United States of America, this requires international cooperation.

Let me ask you another difficult question. If tomorrow, magically, the U.S. Congress did all of the right things, that would not be enough. Climate change is a global crisis. It requires the cooperation of China, Russia, Europe, Latin America, et cetera.

Are you prepared to represent the United States aggressively with some of your colleagues in reaching out to countries all over the world to cut carbon emissions?

Mr. ZELDIN. Senator, it is very important for I, as the Administrator of EPA, whether traveling to the G7 or the G20 or elsewhere, to be reaching out to these other countries to make sure that there is a pressure on other nations to do their part as well. It is my job to stay up at night, to lose sleep at night, to make sure that we are making our air and our water cleaner.

Senator SANDERS. I know it is fashionable to be beating up on China. It is good politics. They are now the major carbon polluter

in the world. We have historically had that role; we are now No. 2. We are not going to solve this crisis without working with China.

Are you, and hopefully your colleagues, if you are confirmed, prepared to work with China to try to lower carbon emissions?

Mr. ZELDIN. Senator, on many different issues, it is important not just to be working with nations that we are the strongest aligned with, but to also be in communication and engaged in dialog with Countries that might be considered competitors, and also our greatest adversaries. Right now, China is an adversary in many respects.

Senator SANDERS. Okay. As part of the IRA, I had a provision in there for \$7 billion to lower electric bills for working class people all over this Country by helping them install solar panels on their roof. My wife and I did it, and our electric bill went down by 80 percent. The problem is many working class and lower income people can not afford the initial cost to install the solar panels. That is what this bill does.

Can I have your word right now that you will work with me to make sure that that the Solar for All Program is rapidly and effectively implemented all over the Country?

Mr. ZELDIN. Senator, it is my obligation on this and every other law enacted by Congress that I will follow my obligations under the law. When it comes to spending money, it is important that I have the ability to sit before you and account for every dollar that is being spent by the EPA, so I know that this is an important priority of you, and solar power.

Senator SANDERS. Sorry. Almost saved by the bell. That was the fossil fuel industry.

[Laughter.]

Mr. ZELDIN. I look forward to working with you on that, Senator.

Senator SANDERS. Thank you. Madam Chair, thank you very much.

Senator CAPITO. Thank you. Senator Curtis?

Senator CURTIS. Thank you. Before I begin, just a big thanks to all my colleagues on the committee, Madam Chair, Mr. Ranking Member, and all my colleagues. I really look forward to working with you on this committee, and I am very excited to be part of this.

Mr. Zeldin, I am from Utah. In Utah, we are pretty proud of our beauty, of our natural resources. It really would be hard to find a more spectacular place in the United States. Everything from fine national parks, arches and monuments, and ski resorts. I think, because of that, Utahns have this inherent desire to take care of it, to leave it better than we found it, to make sure that we are not polluting. I can find total agreement in Utah that less pollution is better than more pollution; less emissions is better than more emissions, and that we want to leave the Earth better than we found it.

You and I had the benefit of working together in the House. I just want to use this opportunity to thank you for your support of my work in talking about climate, talking about some of these issues that are being addressed this morning. I just, for all my colleagues who didn't see us work together in the House, I just want to emphasize how helpful you were getting Republicans talking

about climate and dealing with some of these serious issues. I do not know if you want to comment on that, or if you have any thoughts on that.

Mr. ZELDIN. Well, Senator, congratulations. I am looking forward to serving with you in this new capacity. I enjoyed our work together. I would say that there is a lot that should unite Republicans and Democrats, conservatives and liberals, as it relates to the environment.

I represented a district where people who were conservative Republicans would be able to unite with people who identify as more liberal Democrats to focus on making our environment better. That type of work together, that common ground, is what the American public are desperate for. They are looking for us to be able to find pragmatic, common sense solutions, not to be able to represent their interests here in D.C.

Senator CURTIS. Yes. I will just double down. My experience says you are the right person to do that. I appreciate your efforts.

All of that said, let me talk about some problems in Utah. Some of that has to do with our geology and geography. You and I, when you were in my office, we talked specifically about the Uinta Basin.

Eighty percent of the methane that is registered in the basin does not come from traditional fossil fuel sources. It comes from ground sources; it comes from air that comes into the region, and yet, they are judged and measured on that whole 100 percent, not the 20 percent that they emit. Our geography also surrounds us with mountains. We like to call them real mountains, as opposed to the hills that we have on the east coast.

Senator CAPITO. Whoa.

[Laughter.]

Senator CAPITO. I am from the Mountain State.

Senator CURTIS. Good way to startup the committee.

Senator CAPITO. Do you want to rephrase that?

[Laughter.]

Senator CURTIS. That traps in all the emissions, and they are caught in that area. Part of our discussion in my office and what I would like to talk about today is asking from your agency an acknowledgement that, despite sometimes our best efforts, and I will tell you, in Utah, government, education, business leaders, civic leaders have all come together to try to lower these emissions and meet these standards, but because of these, sometimes we can not. I would love to work with your administration to figure out how we fairly measure that.

Could you comment on that?

Mr. ZELDIN. Yes, Senator. I look forward to being able to work with you and every Senator on this committee. I want to make sure that our teams are working together. I sat on the other side of many of these hearings, and one of my greatest frustrations as a member of the House of Representatives was to send a letter, send a followup letter, send another letter, and then you are at a hearing, following up on your third letter, and the person who is testifying before you is acting as if they have not received your first, second, or third.

That collaboration is very important, so that when I am sitting here before you, that I am able to be accountable to all of you, and

that when you need something from the EPA and you are asking a question that we are able to provide prompt answers. Part of this, too, is a relationship and understanding, every important local priority of each of you in your home States, I want to be able to travel to your States to be able to see firsthand on the ground whatever are your top priorities.

I know, Senator, you have many top priorities in Utah. I look forward to visiting Utah and being able to see for myself and bring in a team.

Senator CURTIS. Thank you. We would love to have you there, and giving your regional administrators some flexibility. I also, for instance, flexibility in things like technology, being agnostic to the technology and being more focused on the end result, I think, would help us get some better results.

Finally, in the last few seconds, your predecessor in the House had to deal with me every time that he would come before us, talking about his low approval rate on getting chemicals approved. There is a zero percent of statutory requirement getting these chemicals approved, and I would joke with him, like you could actually, that is statistically impossible. You could stumble on some approvals accidentally.

I just want to warn you that I am going to be as tough on you as I was on him. This is important. A lot of these chemicals can replace some of these PFAS chemicals, and if we can not get them approved, it just makes the difficulty of getting these off the market near impossible. I look forward to working with you on that. I look forward to seeing you in the mountains of Utah. I yield my time.

Senator CAPITO. Your seat has been relocated over there by Senator Moran.

Senator Merkley?

Senator MERKLEY. Thank you. I am completely down with Senator Curtis's description of, my daughter and I went by U-Haul across the Country, starting on the east coast, and we went through those east coast hills. By the morning of the third day, she woke up and saw the mountains. We were in the middle of the Rockies, and her eyes got wide, and she said, now I understand, Dad, why you say the only real mountains are in the west, so let us just say it is a bipartisan fact agreed to right here.

[Laughter.]

Senator MERKLEY. Mr. Zeldin, you have made an emphasis on the science being the foundation. One of the concerns that I have is regard to the role of paid influencers. You have reported that you have been paid to do various op-eds. Would you provide to the committee a list of all of the payments you have received, and who is paying you, and a copy of the op-eds that you prepared, so that we have a complete understanding of your background in that area?

Mr. ZELDIN. Yes, Senator. I also have provided that as part of my financial disclosure, and of both ethics and EPA and the Office of Government Ethics has reviewed all of those submissions in providing that clear letter to the committee that there are no conflicts.

Senator MERKLEY. Yes, we do have your financials. They do not give the details on the text of which op-eds, and sometimes it is obscured. For example, the \$50,000 to \$100,000 that you were paid

for op-eds, but it also says speaking fees, use of media studio, and so forth.

If you could tie the actual payments for the op-eds to the op-eds you wrote, just so we have a clear and transparent understanding of that piece, because we want to have our folks serve the public interest and have that foundation of science you are speaking to, but I think the citizens deserve to understand, as we wrestle with this moment, that background, and also the background—you have rented out your media studio multiple times. Was that for doing interviews? Did you do interviews in your media studio, and then you asked to be paid for using your own media studio, for interviews?

Mr. ZELDIN. First off, to the first point, I have provided a breakdown of every individual op-ed, as well as the publication and the date of the publication. Any further, if you need us to print up what was referenced, we are happy to do that. As far as the media studio, I created, I owned a media studio, so networks could rent, can use that studio for a TV interview.

Senator MERKLEY. Thank you. I appreciate that, those details. I will take a look at that list.

You have also, over the course of your career, received a lot of campaign funding from the oil and gas industry. I think it is estimated \$270,000. Can you assure citizens that the campaign support you have received from oil and gas industry will not influence your service to the public of the United States?

Mr. ZELDIN. Yes, Senator. There is no donation that anyone has ever provided me at any point of any amount that is going to influence any decision that I make in this position or beyond.

Senator MERKLEY. Second, I want to emphasize the point that my colleagues have made about climate change. We are seeing a massive loss of insurance policies on the west coast and in Florida. In Florida, 16 companies have gone bankrupt. Another 16 have stopped issuing policies. State Farm has withdrawn a massive number of policies from California.

We had six towns burn to the ground in my home State of Oregon, less well publicized across the Country. It is really a challenge. A huge number of folks in California are having to go to a State program they created, the same in Florida, because no insurance would insure properties. The problem with those is there is no great solution. They are extremely expensive and difficult and have very limited coverage.

I want to continue on plastics. I have been very concerned about plastics. We have more and more articles. This article, I will submit for the record.

Senator CAPITO. Without objection.

[The referenced information follows:]

Bioaccumulation of Microplastics in Decedent Human Brains Assessed by Pyrolysis Gas Chromatography-Mass Spectrometry

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Abstract

Rising global concentrations of environmental micro- and nanoplastics (MNPs) drive concerns for human exposure and health outcomes. Applying pyrolysis gas chromatography-mass spectrometry (Py-GC/MS) methods to isolate and quantify MNPs from human samples, we compared MNP accumulation in kidneys, livers, and brains. Autopsy samples from the Office of the Medical Investigator in Albuquerque, NM, collected in 2016 and in 2024, were digested for Py-GC/MS analysis of 12 polymers. Brains exhibited higher concentrations of MNPs than liver or kidney samples. All organs exhibited significant increases from 2016 to 2024. Polyethylene was the predominant polymer; the relative proportion of polyethylene MNPs was greater in brain samples than in liver or kidney. Transmission electron microscopy verified the nanoscale nature of isolated particles, which largely appeared to be aged, shard-like plastics remnants across a wide range of sizes. Results demonstrate that MNPs are selectively accumulated into the human brain and concentrations are rising over time.

MAIN TEXT

The ubiquitous presence of plastics, especially polymer-derived particulates ranging from 500 micrometers in diameter down to 1 nanometer, defined as micro- and nanoplastics (MNP), is a defining feature of the Anthropocene epoch¹. The extent to which microplastics cause harm or toxicity is unclear, although recent studies associated MNP presence in carotid atheromas with increased inflammation and risk of future adverse cardiovascular events^{2,3}. In controlled exposure studies, MNPs clearly enhance or drive toxic outcomes^{4,6}. The mantra of the field of toxicology – “dose makes the poison” (Paracelsus) – renders such discoveries as easily anticipated; what is not clearly understood is the internal dose in humans.

To date, several studies have utilized visualization and spectroscopic methods to identify and count particulates in organs such as the lungs, intestine⁷, and placenta⁸. These methods are often limited to larger (>1-5µm) particulates, thus nanoplastics are excluded from the quantitation. As a novel approach, pyrolysis gas chromatography-mass spectrometry (Py-GC/MS) has been applied to blood⁹, placentas¹⁰ and recently major blood vessels^{2,3} in a manner that appears more cumulative and quantitative, and less biased than visual identification methods. Py-GC/MS data between labs has been comparable, providing confidence in this method for human tissue analysis^{2,9,10}. We applied Py-GC/MS to assess the relative distribution of MNPs in major organ systems from human decedent livers, kidneys, and brains.

METHODS

Human Tissue Samples: We obtained de-identified, post-mortem human liver, kidney, and brain (frontal cortex) samples, retrospectively, in cooperation with and approval from the University of New Mexico Office of the Medical Investigator (OMI) in Albuquerque, New Mexico, under the guidance of a trained forensic pathologist (DFG) who selected consistent regions from all organs. Samples were available from 2016 and 2024; the same collection protocol was used for 2016 and 2024. Small pieces of

representative organs (3 to 5 cm²) are routinely collected at autopsy and placed in a small container with 10% formalin. Limited demographic data was available due to the conditions of specimen approval. In the 2016 samples, 17 samples were from males and 10 were from females. In 2024, 13 samples were from males and 11 were from females. The mean (and standard deviation) age of 2016 decedents was 50.0 (\pm 11.4) years and 52.3 (\pm 16.8) years for the 2024 decedents.

Py-GC/MS Detection of Polymer Solids: Formalin-fixed tissue samples (approximately 500mg) were digested with 10% potassium hydroxide for 3d at 40°C with intermittent manual mixing to ensure even and thorough digestion. Fully digested samples were then ultracentrifuged at 100,000g x 4h to generate a pellet enriched in solid materials resistant to such digestion, principally polymer-based solids¹⁰. A 1-2 mg portion of the resulting pellet was then analyzed by single-shot Py-GC/MS and compared to a microplastics-CaCO₃ standard containing 12 specific polymers: Polyethylene (PE), Polyvinyl chloride (PVC), Nylon 66 (N66), Styrene-butadiene (SBR), Acrylonitrile Butadiene Styrene (ABS), Polyethylene terephthalate (PET), Nylon 6 (N6), Poly(methyl methacrylate) (PMMA), Polyurethane (PU), Polycarbonate (PC), Polypropylene (PP), Polystyrene (PS). Polymer spectra were identified via the F-Search MPs v2.1 software (Frontier Labs). Resulting data were normalized to original sample weight to render a mass concentration (μ g/g).

Data Analysis: Statistical analysis was performed using GraphPad Prism v10.0.03. Details of statistical analysis are provided in the data supplement.

RESULTS and DISCUSSION

Py-GC/MS has proven to be an informative and reliable method to determine plastics concentrations in liquid and solid tissue samples, with ample assurance of accuracy, quality, and rigor^{2,3,9,10}. Decedent liver and kidney MNP concentrations were similar, with means of 465 and 666 μ g/g, respectively, from 2024 samples (Figure 1A). These were higher than previously published data for human placentas (126 μ g/g)¹⁰, but comparable to testes (329 μ g/g)¹¹. Liver samples had significantly higher concentrations in 2024 than in 2016 samples (145 μ g/g; p <0.001). The brain samples, all derived from the frontal cortex, revealed substantially higher concentrations than liver or kidney, at 3,057 μ g/g in 2016 samples and 4,806 μ g/g (0.48%, by weight) in 2024 samples, ranging as high as 8,861 μ g/g. Five brain samples from 2016 (highlighted in orange, Figure 1A,B) were analyzed independently by colleagues at Oklahoma State University, and those values were consistent with our findings.

A non-parametric analysis of variance (Kruskal-Wallis) confirmed that MNP concentrations in brains were significantly greater than all other tissues (P <0.0001). Furthermore, from 2016 to 2024, there was a significant increase in MNP concentrations in both livers and brains. The predominant polymer found in all tissues was polyethylene, which independently displayed similarly increasing trends from 2016 to 2024 in the liver and brain (Figure 1B). The proportion of polyethylene in the brain (74%) appeared significantly greater relative to other polymers in comparison to the liver and kidney (44-57%), although

kidney samples from 2024 also had increased relative PE (71%; Figure 1C,D). This was also confirmed with ATR-FTIR spectroscopic analysis from 5 brain samples (Figure 1D).

Because we suspected that much of the MNPs measured were actually in the nanoscale range, transmission electron microscopy (TEM) was conducted on the dispersed pellets obtained from kidney, liver, and brain (Figure 2; see methods supplement). While TEM does not provide spectroscopic identification to confirm particulate composition, we observed common shapes and sizes among the numerous samples and tissue types. Notably, there were innumerable particulates with shard-like appearance, often less than 200 nm in length. Currently, MNP uptake and distribution pathways are incompletely understood; this new appreciation of the size and shape aids in our appreciation of potential mechanisms. Importantly, these observations bring into question the relevance of the many recent studies utilizing polystyrene microspheres^{4,12}, as polystyrene was infrequently detected in human tissues and MNPs were rarely spherical.

The concentrations in liver and kidney were not as high (relative to brains) as we would have suspected, as these are "front line" organs for xenobiotic uptake and clearance. That said, the lipophilic nature of plastics may make them easily handled by the liver, which has a major role in uptake and repackaging of dietary triglycerides and cholesterol. A recent study found higher MNP numbers in the cirrhotic liver compared to the healthy liver; whether the microplastics promote disease or are simply accumulating along with intracellular fats has not been elucidated¹³.

Following this logic, the human brain has the second highest lipid content in the body, with only adipose tissue being higher; brain MNP concentrations are comparable to recently published Py-GC/MS data from carotid plaques, which are also a lipid depot³. Furthermore, the brain receives a high blood flow, approximately 25-30% of the cardiac output, and has a tremendous metabolism. The blood-brain barrier poses a notorious challenge. However, modeling of transfer across cellular membranes suggests the uptake is dependent on the association of particulates with cholesterol and, furthermore, that particles <1µm rapidly traversed the blood-brain barrier within 2h of ingestion in mice¹⁴. Longer-term gavage studies similarly found that larger (5 µm) polystyrene microspheres could access the brain and promote metabolomic alterations¹⁵. Lastly, clearance rates from the brain are unknown for polymer particulates. The lack of correlation with the decedent age suggests that an equilibrium occurs and may depend on genetic, dietary, and lifestyle factors that ultimately contribute to the wide between-subject variability in MNP concentrations. In zebrafish exposed to constant concentrations, nanoplastics uptake increased to a stable plateau and cleared after exposure¹⁶; however, the maximal concentrations were increased proportionately with higher exposure concentrations. While the time course for kinetics is assuredly longer in humans, we postulate that the exponentially increasing environmental concentrations of MNPs^{1,17} will analogously increase internal maximal concentrations, which is corroborated by our finding that total plastics mass concentration in brains increased over 50% in the past 8 years.

LIMITATIONS

The present data are derived from novel analytical chemistry methods that have yet to be widely adopted and refined. Several quality control steps ensure that external contaminants are not incorporated into the sample calculations, including KOH blank samples and measurement of the polymer composition of all plastic tubes and pipette tips that are essential in the digestion and measurement process. Notably, given the consistent nature of handling and processing across varying organ samples (*i.e.*, brain, liver, kidney), the dramatic, selective accumulation of MNPs in the brain cannot be dismissed as an artefact of contamination. Furthermore, the far longer duration of samples in plastic stock jars from 2016 (84-96 months) compared to those samples from 2024 (1-3 months) and the significantly lower plastics content in 2016 samples suggests that contamination from fresh plastics is not a concern to the conclusions from these data.

Both laboratories (UNM and OSU) observed a within-sample coefficient of variation of approximately 25%. This does not alter the conclusions regarding the temporal trends of selective accumulation in brains, given the magnitude of those effects. However, we believe several steps may be valuable to improve the precision of Py-GC/MS output, which in turn should improve assessment of health outcomes for future studies. There may be value in limiting assessments to the nanoscale range, which could incorporate longer ultracentrifugation times as well as a filtration of $>1 \mu\text{m}$ particulates. Ambient air particulate matter research provides some justification that "smaller is worse", which led to the transition from air quality standards based on particles $<10 \mu\text{m}$ in diameter to those $<2.5 \mu\text{m}$, which aligned more closely with health outcomes¹⁸. Additionally, the Py-GC/MS method is limited to small sample weights ($\sim 1\text{-}2\text{mg}$), which presents challenges for sampling and weighing accuracy when even small portions of tissue ($\sim 500 \text{mg}$) generate large polymer-containing pellets; however, larger sample sizes may not be feasible due to the rapid combustion required for this approach. Lastly, by obtaining only a single sample from each organ for each subject, distribution heterogeneity within tissues remains uncharacterized.

CONCLUSIONS

MNP concentrations in decedent brain samples ranged from 7-to-30 times the concentrations seen in livers or kidneys. With independent confirmation from another laboratory and visual evidence from FTIR and TEM approaches, we have high confidence that MNPs selectively accumulate in the brain, with the majority being nanometer-scale, shard-like particulates. However, linking MNP concentration data to health outcomes in larger cohorts will require refinements to the technique, more complex study designs, and larger cohorts. The parallels between the present data showing an increasing trend in MNP concentrations in the brain with exponentially rising environmental presence of microplastics¹⁹⁻²¹ and increasing global rates of age-corrected Alzheimer's disease and related dementia²²⁻²⁵, given the potential role of anionic nanoplastics in protein aggregation²⁶, add urgency to understanding the impacts of MNP on human health.

DECLARATIONS

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Figures

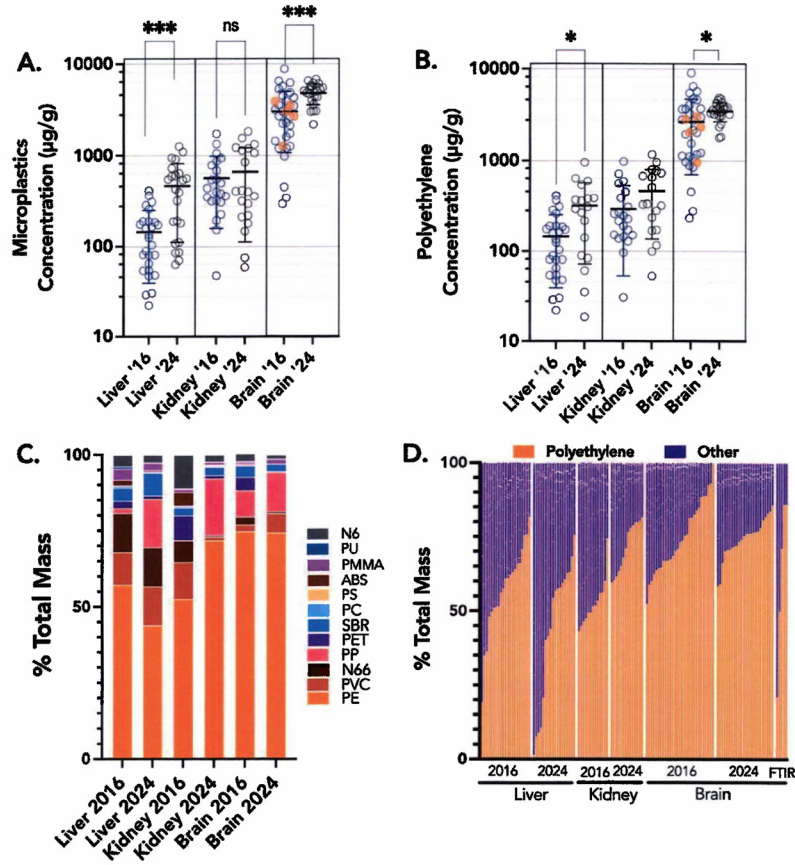


Figure 1

Overview of total MNP concentrations from all decedent samples from liver, kidney, and brain. **A.** All data shown, with the bar representing arithmetic mean value and the standard deviation. Orange colored symbols in the 2016 brain samples were analyzed independently at Oklahoma State University. Asterisks indicate significant differences temporal changes (from 2016 to 2024) using a nonparametric t-test (Mann Whitney). Brain concentrations were also significantly higher than liver and kidney, by ANOVA. **B.**

Using only polyethylene data, similar trends were noted, although the kidney concentrations did not increase in the 2024 samples. **C.** Overall distribution of 12 different polymers suggests a greater accumulation of polyethylene in the brain relative to liver or kidney. Polyethylene (PE), Polyvinyl chloride (PVC), Nylon 66 (N66), Styrene-butadiene (SBR), Acrylonitrile Butadiene Styrene (ABS), Polyethylene terephthalate (PET), Nylon 6 (N6), Poly(methyl methacrylate) (PMMA), Polyurethane (PU), Polycarbonate (PC), Polypropylene (PP), Polystyrene (PS). **D.** Distribution trends for PE across each organ and collection date, including 5 additional samples (on the right) from the 2016 brain collections that were analysed by Attenuated Total Reflectance-Fourier-transform infrared spectroscopy (FTIR).

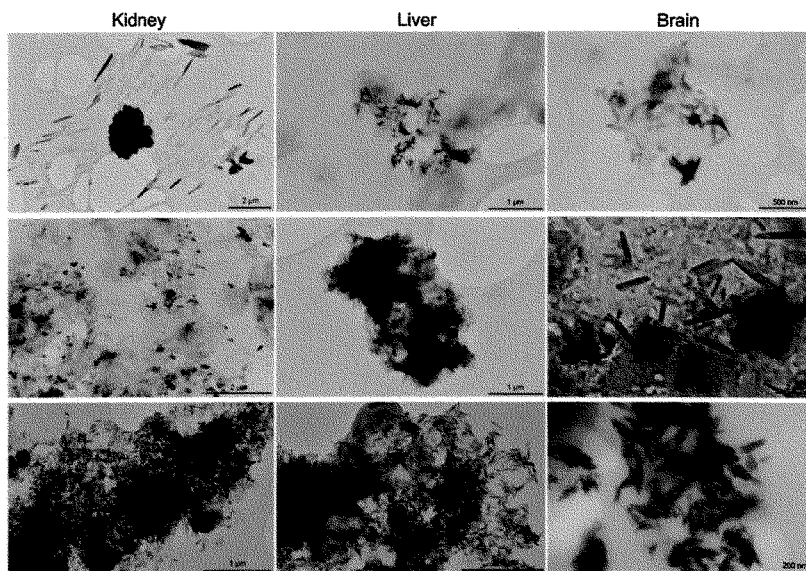


Figure 2

Example TEM images of solid nanoparticulates derived from kidney (left), liver (center), and brain (right) samples. While TEM does not permit spectroscopic identification of particulate molecular composition, the bulk of particulates that were predominantly polymer as assessed by ATR-FTIR appear to be of these sizes and shapes. Shard-like appearances, with dimensions ranging from micrometer to nanometer sizes, suggest an aged, friable polymer composition.

Supplementary Files

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What we just found out about the possible tie between microplastics and cancer

The new research gathers evidence that microplastics are already causing health problems.

Updated December 18, 2024

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By [Shannon Osaka](#)

When a car rolls down a freeway, a fine spray of microplastics spews out from its tires. When you [wash your clothes](#), millions of tiny synthetic microfibers spill into waterways.

And those tiny pieces of plastic may be harming our health, a new study shows.

In a [paper](#) published Wednesday in the journal *Environmental Science and Technology*, researchers at the University of California at San Francisco evaluated dozens of studies in mice and humans to learn how microplastics may be harming digestive, respiratory and reproductive health. They found that these shards — which are now virtually everywhere: in the air we breathe, the water we drink and the food we eat — are suspected of links to colon cancer and lung cancer.

“This systematic review is one of the most up-to-date assessments available right now,” said Luis Fernando Amato-Lourenço, a postdoctoral researcher at the Free University of Berlin who studies microplastics in the body and was not involved in the study.

Scientists are [racing to understand](#) the health impacts of microplastics, which have been found in the testicles, placenta, lungs, and [numerous other organs](#) in the last few years. Production of plastics is also rapidly increasing — supply of the materials, which are mostly made from fossil fuels, has doubled since the early 2000s and is expected to triple by 2060.

Still, there are few studies that look at how microplastics have harmed people’s health. [Research this year](#) found that patients with more microplastics in a key artery were more likely to suffer heart attack, stroke or death from any cause.

To assess the risks to humans, the researchers examined thousands of studies, largely in mice, that evaluated microplastic exposure and its impacts on three bodily systems. They looked for evidence of changes in the colon and lungs, as well as signs that the microplastics were having carcinogenic, or cancerous, effects. Those included chronic inflammation and oxidative stress, which is an imbalance of antioxidants in the body.

“These are basically biological mechanisms that have already been shown to be part of the link between chemical exposure and cancer,” said Tracey Woodruff, professor and director of the UCSF Center for Reproductive Health and the Environment and one of the paper’s authors.

The scientists concluded that there is evidence linking microplastics to lung cancer and colon cancer, as well as some reproductive problems.

The study is just one step in a long process to establish what, exactly, microplastics do to human health. It’s a knotty problem — there are dozens of types of plastic, which can break into different shapes when exposed to the sun and wind. At the same time, those plastics can include thousands of chemical additives — each of which could also have an effect on health.

Still, scientists are suspicious that microplastics may be linked to some diseases that have been increasing in recent decades. Double the number of adults under age 55 are being diagnosed with colon cancer today compared with a decade ago. The rate of lung cancer among non-smokers is also rising.

“It’s important to focus on health effects that we see increasing in the population,” Woodruff said.

There are limitations to the current research. Most of the studies included in the review looked at a particular type of microplastic — spherical beads that are easier for researchers to test and use in the lab. But experts know that most microplastics in the environment are shards or fragments that have sloughed off of plastic items over time. Studies in mice also tend to use higher doses than humans may be exposed to, although it is difficult to create an exact 1-to-1 ratio.

Some researchers not involved in the new study praised it as a significant advance. “The conclusion about microplastic exposure being a ‘suspected’ hazard to human digestive, reproductive, and respiratory systems represents a stronger stance than many previous reviews in my opinion,” said Amato-Lourenço.

But others worried that its findings were premature. “We are still learning about the nature of the plastics in the human body and there is a lot of published research based on shaky assumptions,” Matthew Campen, a professor and toxicologist at the University of New Mexico, said in an email. “I am not really critical of those papers, because we have to start somewhere, but using data from those studies to assess human health is just too soon.”

“Scientists agree microplastics are a complex issue and work to establish protocols to appropriately characterize the microplastics they are testing,” said Kimberly Wise White, vice president of regulatory and scientific affairs at the American Chemistry Council, a plastics industry group. “Unfortunately, this rapid review does not appear to include these considerations, calling into question the validity and quality of the conclusions.”

There are few laws around the world that protect consumers from microplastics in food, water and air. A growing number of scientists have been pushing for action from policymakers, urging governments to treat plastics as potentially harmful.

But progress has stalled; last month, negotiations for a global plastics treaty that might have curbed production collapsed in Busan, South Korea.

“The government waits,” Woodruff said. “And while we’re waiting, exposures are not only continuing but are projected to increase.”

Senator MERKLEY. Thank you.

From the Washington Post, that has just been out about the threat between microplastics and cancer. It goes on to talk about colon cancer, the imbalance of antioxidants, lung cancer. We have had a whole series of articles about heart disease. We have this article about the cumulation of microplastics in human brains out of New Mexico.

It is out for peer review right now, but we are learning more and more. We now have plastics in breast milk, plastics in every organ of the body, and plastics in our brain. In fact, it turns out, according to this study, if this turns out to be accurate, the highest accumulation of plastics is in our brains.

We also have a record of microplastics and nano plastics affecting human fertility. Plastic is, by its chemical structure, an endocrine disruptor. Are you familiar? Have you steeped yourself in the science and problems associated with plastics in the human body?

Mr. ZELDIN. Yes, Senator. I enjoyed being able to meet with you and your team in your office. We are clearly—this is an issue of great interest and passion of yours. I would look forward to an opportunity to be able to read what you are referencing specifically, just so that I can become intimately familiar with any detail that you are citing that I have not read before.

Senator MERKLEY. I was hoping that was what you were going to do after our meeting in the office, you were going to go out and read all these articles.

Mr. ZELDIN. I have, Senator, and I will look forward to continuing to read even further.

Senator MERKLEY. There is an effort by the chemical industry to say, do not worry, we will just melt everything down in big pots to keep plastics out of the waste treatments. They call it chemical recycling. It is basically thermal melting, but it has proved to only be usable in very limited, basically manufacturing waste as opposed to post consumer plastics, but they are trying to sell it as an absolute cure, do not worry, we can go from 8 percent recycling in America to a high percent.

Are you familiar with the very limited role that the chemical industry is trying to say, do not worry, be happy, on plastics?

Mr. ZELDIN. I am aware, yes, sir.

Senator MERKLEY. Do you understand and have you made yourself knowledgeable of the inaccuracies that are being publicized about this thermal strategy?

Mr. ZELDIN. Senator, I am researching and reading all that is being provided on all sides of this issue. Going back to my time in the House, I advocated to clean up our waterways around my district, and as I cited in my opening, the bipartisan work between Senator Whitehouse and Senator Sullivan on Save Our Seas and Save Our Seas 2.0 should be a model to be followed, the bipartisanship, to go even further.

Senator MERKLEY. I see I am over time. I am sorry, Madam Chair. I will just close by saying, in plastics, there is a big story trying to be sold about “do not worry.” It will be your responsibility to make sure you speak the truth to the American people.

Mr. ZELDIN. Thank you, Senator.

Senator CAPITO. Senator Sullivan?

Senator SULLIVAN. Thank you, Madam Chair. I want to congratulate you and the Ranking Member. This is a great committee. For our new members, we get a lot of things done here, usually very bipartisan. We have some differences, but that is Okay.

Mr. Zeldin, it was great meeting with you. Congratulations to your family as well, and thanks for your service. It is not always easy; we know.

Alaska, we love our clean water, clean air. We do not think, we know we have some of the cleanest air and water in the world. We are proud of that. We do not always think the EPA has helped in that regard. It is more State action, so I want to begin by getting you to commit to me to come up to Alaska with me, bring your family, we can do some fishing maybe, after you see all the important elements of Alaska. Big mountains, no offense to Utah, but really big mountains. We have a little fun on State size in this committee. Can I get your commitment to do that?

Mr. ZELDIN. Yes, Senator. Unlike predecessors of mine who attempted to try to negotiate an August trip, I would want to go when it is as cold and dark as possible.

Senator SULLIVAN. Good. Well, it is happening right now. We have communities in Alaska that are hitting 30, 40 below zero. We would love to have you in the winter and summer.

Mr. ZELDIN. Senator Ricketts looks like he wants to come with me, so I look forward to it.

Senator SULLIVAN. We would love to have him.

Second, I really appreciate the shout out to me and Senator Whitehouse on the Save Our Seas Act and Save Our Seas 2.0. That was the most comprehensive ocean cleanup legislation in the history of the Country. Those are both signed by President Trump.

You might want to ask Senator Whitehouse at some point about the signing ceremony that we had in the Oval Office with President Trump on Save Our Seas 1.0 with Commerce Secretary Wilbur Ross and others, it was great. Can you commit to me to work with this committee, I think we already have President Trump's commitment to continue the progress we have made on ocean cleanup, plastics cleanup? It is good bipartisan work.

The Trump Administration and the President himself is very committed, and so are we. We are already working on 3.0. We have to focus on the implementation of SOS 2.0, though. Can we get your commitment on that?

Mr. ZELDIN. Yes.

Senator SULLIVAN. Great. Well look, I want to go back to Senator Cramer's issue of, in your opening statement, about honoring cooperative federalism. As you know, our Clean Air Act, our Clean Water Act laws from Congress contemplate a scheme of cooperative federalism that provides an active, in some cases, primary role for States on these laws. Will you commit to doing to that? It is a really important issue for my State.

Mr. ZELDIN. Yes, Senator.

Senator SULLIVAN. One of the areas where we have not seen cooperative federalism at all is the way in which the EPA and my State have a history of enforcing the laws. No offense to my Democratic colleagues, this is always what Democrat Administrations,

the Obama administration, what they do is they come in with giant, heavy-armed agents, body armor, helicopters, it is shocking.

We had a raid on some plaster miners in a place called Chicken, Alaska under President Obama. Over 30 armed agents, body armor, to do what? Do compliance on the Clean Water Act? They didn't find one violation. They scared the hell out of the miners, Okay.

Then, not to be outdone, the Biden Administration has done these raids on small mechanic shops in Alaska. They bring up EPA agents from all over the Country, 30 armed agents, kicking in doors, in mechanic shops in Alaska.

By the way, my State believes in the Second Amendment. Most of my State is armed. This is very dangerous, because some of these agents could get shot when they are coming in.

What has happened is, you do not have cooperative federalism. You have rogue EPA agents who are going to enforcement before they talk about compliance. On any of these issues, they could have gone to these mechanic shops, they could have gone to the miners, hey, we think you may be violating the Clean Water Act. Can you work with us?

No, these guys come, they had 40 agents, all of them armed, raiding these mechanic shops. It is just an outrage. Can I get your commitment to focus on compliance rather than jumping to armed enforcement?

Second, look, I believe in an armed citizenry. I believe in the Second Amendment. I do not believe in an armed bureaucracy. The EPA is a SWAT team. Do you believe the EPA should even have armed agents? When they go into places, they can just have the local police or local State troopers. You have these guys out of control in Alaska, and it is dangerous.

The current EPA Administrator, I sent him letters on this. He didn't answer me. Someone is going to get hurt. Can I get your commitment to focus on compliance, civil compliance, as opposed to kicking in doors with body armor, assault rifles, helicopters? It is crazy, and it is really outrageous, and it happens under Democrats. Not President Trump, Democrats.

Mr. ZELDIN. Senator, it is outrageous. The story that you told, and Senator Murkowski shared with me as well with regard to Chicken, Alaska, it led me, as somebody who is going through this transition to be asking questions as to how did that even get authorized, who signs off on it, what are the standards that need to be met in order to even say yes to an operation like that.

Senator SULLIVAN. When 38 agents, EPA agents from all over America, came up to raid a mechanic shop, a small business, that I think there are eight guys who owned it. They were National Guard guys, great Alaskans. Can I get your commitment on that, and to work with me? Do you think the EPA should be armed? I do not.

Mr. ZELDIN. Senator, if something requires an enforcement action on a prosecutorial front, that is working with the Department of Justice, Congress has enacted laws where enforcement is part of the effort on the compliance front. There are people and entities owning property where there is mitigation that needs to happen and where they want to work with the government to mitigate that

situation on their property. We should be working with them to make it happen.

Senator SULLIVAN. Great. Thank you.

Senator CAPITO. Thanks.

Senator Kelly?

Senator KELLY. Thank you, Madam Chair.

Mr. Zeldin, congratulations on your nomination, and thanks for coming by my office a couple of weeks ago.

As we discussed, Arizona has some unique challenges that we need some help from EPA leadership on, and we need to work with you as a collaborative partner to help us address some specific air quality and water quality challenges that we are facing. To do this in a way that does not disrupt our State's growth. We are rapidly growing State.

Let's start with air quality. As we discussed, Maricopa County, which is Phoenix, half the population of the State, is in non-attainment under the Clean Air Act for ground level ozone pollution. Now, under the Clean Air Act, the way the law assumes air quality can be improved is by reducing emissions from stationary sources of emissions, like big manufacturing. Might make sense in some parts of the Country, certainly in more industrialized areas, the Rust Belt, the East Coast.

It does not make sense in Phoenix. The reason is we are a really young State, and we do not have a history of this heavy manufacturing. Manufacturing, by the way, is not the source of our air quality challenges in Maricopa County. EPA's own modeling shows that 80 percent of the ozone forming pollutants in the Phoenix area come from either natural sources like wildfires or sources outside of the region, like California and Mexico.

This means that the typical EPA playbook for how to improve air quality and protect public health is not going to work on Phoenix. It is just not. We need partnership and collaboration with EPA headquarters and EPA Region 9 to address these challenges.

We have been working closely with State and local officials and our business community on this. There are specific actions where we are asking for EPA partnership on. I would like to ask for your commitment to working with us on these issues. I am going go through them, there are four of them.

First, we have several New Source Review permits currently under review by the Region 9 office. If confirmed, will you commit to ensuring that those permits are prioritized for review?

Mr. ZELDIN. Senator, your priorities will be mine. We will make sure that we follow the law, and make sure that this is top of the list.

Senator KELLY. Thank you. Second, Maricopa County has submitted two local rules which are called Rules 204 and 205, we spoke about those in my office, that would provide alternative pathways for generating offsets for new permits, for new manufacturing facilities. Remember what I said, we do not have the heavy manufacturing that is shut down that would generate a permit. These rules have some other ways to do that.

Both rules are still pending final approval, although I understand that Region 9 and Maricopa County have been meeting weekly on this to resolve some outstanding issues. Mr. Zeldin, will

you commit to ensuring this coordination between EPA and the County can continue with a goal of having both rules approved as soon as possible?

Mr. ZELDIN. Senator, while I can not pre-judge outcome as far as approval goes, on anything, you absolutely have my commitment to be able to work with you, those local partners, to come to Arizona.

You also mentioned the Yuma example as well, and as you pointed out, you come from a State where, in a place like Maricopa, you do not have a lot of these sites shutting down, you have more coming in, which is a good problem to have in one way, but you definitely need to have partnership with EPA.

Senator KELLY. It is challenging in the other way. That is what we have to figure out.

Third, as I noted, we are still trying to understanding the long-term reasons our air quality is getting worse, and how to resolve that challenge. Will you commit to help Maricopa County develop some better models to understand why our air quality is getting worse in Maricopa County and help us find some solutions to address this long-term?

Mr. ZELDIN. Yes, Senator.

Senator KELLY. Fourth, in that same vein, we know that emissions from Mexico are a serious contributor to our air quality challenges throughout Arizona. Will you commit to having the EPA Region 9 and the EPA Office of Transportation and Air Quality work with our local officials to ensure that our attainment plans account for cross-border pollution?

Mr. ZELDIN. Yes, Senator. I also heard this concern from Senator Schiff and Senator Padilla as it relates to Tijuana and the southern border of California. This is clearly an issue across States. I look forward to working with you on this issue.

Senator KELLY. Finally, will you also commit to working to find solutions to ensure regions throughout the western United States are not penalized for emissions created by wildfire smoke?

Mr. ZELDIN. Yes, sir.

Senator KELLY. Thank you.

Senator CAPITO. Thank you. Senator Ricketts?

Senator RICKETTS. Thank you, Chairman Capito, and congratulations again to Chairman Capito and Ranking Member Whitehouse on your new roles.

You mentioned our new member, Senator Curtis. We also have a new member, Senator Schiff, with us as well.

Senator WHITEHOUSE. We actually have three new members on our side, and I have been waiting for them to assemble.

Senator RICKETTS. Oh, Okay, very good. I didn't want to leave Senator Schiff out. I am excited to work with the entire team here with regard to the upcoming session here.

Congressman Zeldin, good to see you again. Thank you very much for being here and we appreciate your family sacrifices in the past in serving our Country and your continued willingness to sacrifice and serve our Country in this new role.

You know, rule of law is what binds Americans' trust to government, right? All too often, we have seen under this Biden Administration that the rule of law and congressional intent has been subverted by trying to appease radical left-wing environmentalists.

That undermines people's faith in government and the rule of law and the trust of our institutions.

Thank you for your commitment to implementing the laws as Congress has written and intended to be able to get back to the fundamentals of the EPA, which is protecting our environment, safeguarding our health and looking out for the well-being of the public.

I am excited to restore this proper balance of looming risk with using sound science to protect our environment as the EPA's mission, which is the EPA's mission as Congress directed it to do. We must follow the law to restore Nebraskans' faith in our government institutions.

One of the areas that you are going to have an opportunity to be able to do that has to do with our renewable fuels standard. This is one of the things I have commented in the past, I love this committee, because we have talked about ethanol and biodiesel and renewable diesel all the time. Chairman Capito will get tired of me doing that.

When we see the past under the Biden Administration is that RVOs are set below production levels, and they are chronically late. For example, the RVOs for 2026 are required by law to be published on November 21st, 2024. That did not happen, and it is not likely to happen until probably December 2025.

The 2023 and 2024 RVOs will lag behind industry production by three to four billion gallons. That is the actual capacity of the industry today.

Congressman Zeldin, do you commit to give producers and the industry certainty the marketplace deserves? This is what businesses want, they want certainty, they want to know what the rules are so they can plan for it. Will you give them the certainty by following the law as it relates to the timely and appropriate RVO rulemakings?

Mr. ZELDIN. Yes, Senator.

Senator RICKETTS. Great. Thank you very much.

Another pressing biofuel issue for Nebraskans is year-round E15. I want to thank Senator Fisher and your former colleague, Congressman Smith, for their leadership on the issue. I am happy to lend my enthusiastic support to this cause. This resolution is over a decade in the making and we were very, very close in the last Congress to actually getting E-15 year-round, and I hope we can build on that momentum here in 2025.

Congressman Zeldin, although the issue will not be solved entirely by the EPA, can we rely on you to do your part to create a market of certainty for liquid fuel stakeholders and agricultural producers by doing all you can to ensure that Americans will have access to E15 all year around?

Mr. ZELDIN. Senator, while I can not pre-judge outcome of processes to follow across the board, I know how important this issue is to you and I know how important this is to President Trump. The President has expressed this time and again with regard to you. You have heard it from Senator Ernst, I have heard it from Senator Grassley, Senator Thune, Senator Fisher and others, Senator Hawley. I understand how much of a priority this is for you.

As far as establishing certainty, hopefully this is something that Congress is able to resolve. To the extent that you are relying on the EPA to establish that certainty, I look forward to being able to do my part. I want to continue to work with you to achieve the outcomes that we have discussed.

Senator RICKETTS. Great, thanks. One of the things that, and we will get into the second round of the questioning as well, but I think it is really, really important that we get away from what the Biden Administration was doing with regard to trying to tip the scales toward their solution. That is how I interpret the delay on renewable fuels. We all want to reduce our impact on the environment. Renewable fuels are one of the ways we can do that.

They wanted to push—their solution was electric vehicles. Again, electric vehicles can be part of the solution on how we do that as well. What we should be focusing on is how American innovation, and I appreciate the fact that you mentioned this in your opening, American innovation is how we solve our problems in this Country. Allow Americans to innovate, to find ways to be able to reduce our impact on the environment.

I will give you this one example. Last year, or maybe it was 2 years ago, I was seeing a demonstration by a hybrid vehicle that, for a \$600 kit, had been equipped to burn 85 percent ethanol. It was getting 38 miles to the gallon, while reducing the amount of emissions that would have normally been done with a gasoline engine.

That is the kind of innovation that can help us reduce our impact on the environment, if we are allowed as Americans to actually innovate rather than have this big top-down, government, one size fits all, like we are going to push this solution on you whether it works or not.

I see my time is expired, but I look forward to the second round of our questions.

Senator CAPITO. Thank you. Senator Markey?

Senator MARKEY. Thank you, Madam Chair.

Congressman Zeldin, in 2016, in a congressional debate, you said, “There are many different ways that we can be better stewards of our environment. They key is to reduce our reliance on fossil fuels, to become more environmentally friendly, and to pursue clean and green energy.”

Do you still believe, Mr. Zeldin, that is our job to reduce our reliance on fossil fuels?

Mr. ZELDIN. Ideally, Senator, to the extent—first off, I support all of the above—

Senator MARKEY. No, I didn’t ask you that. I said, do you believe it is imperative that we, using your words, reduce our reliance on fossil fuels? Do you still believe that?

Mr. ZELDIN. Considering all factors, in an idea world, we would be able to pursue always the cleanest, greenest energy sources possible.

Senator MARKEY. Well, I am not hearing you say that you agree with Lee Zeldin in 2016. That means that we are in a completely different context for your nomination hearing.

Do you see the fires in L.A. right now? Did you see the storms ripple through Georgia and through North Carolina? The threat of

climate change hasn't gone away since you said that in 2016. I am just worried now your change of tone is politics and not the science which you apparently did believe at that time.

Let me ask you the next question. Do you also accept that under the Supreme Court's ruling in 2007 in *Massachusetts v. EPA*, and in three subsequent cases, that the EPA is obligated to regulate greenhouse gases as air pollutants from motor vehicles, power plants, and other industrial sources as the Supreme Court in their decision, "may reasonably be anticipated to endanger public health or welfare"? Do you accept that as a mandate, Mr. Zeldin?

Mr. ZELDIN. Authorized, yes, Senator. Authorized to, Senator.

Senator MARKEY. Authorized to. You do not actually then accept the requirement that you have to deal with the endangerment that fossil fuels actually poses to L.A. or North Carolina or Florida or the Gulf Coast almost on a year basis? You do not accept that?

Mr. ZELDIN. Senator, I just want to be accurate and in citing *Massachusetts v. EPA*, the decision does not require the EPA, it authorizes the EPA.

Senator MARKEY. You are obligated. You are obligated to regulate if you find there is an endangerment. You are obligated. It is an obligation.

Mr. ZELDIN. It does not say that you are obligated to, and that is it. There are steps that the EPA would have to take in order for an obligation to be created.

I am just going off the actual text.

Senator MARKEY. Right, well, again, we are in danger in L.A. Do you think the people in North Carolina and the Gulf Coast were in danger?

Mr. ZELDIN. Are they in danger? Absolutely. For people who are having their homes burned down.

Senator MARKEY. Then you have an obligation to deal with that, to do something. Do you see your job at the EPA as doing something about it? We are watching firefighters run toward the flames and the EPA is responsible to keep the fiery embers of climate change under control, power plants, cars, industry. Are you going to fight those dangers, Mr. Zeldin? Are you going, as you said in 2016, are you going to fan the flames of destruction by the demand of the fossil fuel industry which you now refuse to actually hold responsible for the rapidly warming Country that we are living in?

Mr. ZELDIN. Senator, there are a few things there. First off, as far as the Supreme Court case goes, it is not a, it was not a decision of the Supreme Court that if there was a fire in 20156 in California, that if that fire creates a danger to people who are having their homes burned down, then that triggers the EPA to regulate carbon dioxide. There is just more to that.

Senator MARKEY. Yes, but it is pretty simple. It says the EPA is supposed to be the environmental watchdog and not a fossil fuel lapdog. That is what it says.

Mr. ZELDIN. It does not actually say that, Senator.

Senator MARKEY. The EPA is supposed to have families be able to sleep at night knowing their air is clean and the water is safe and their future is protected. This should not leave people up at night wondering if they are going to have danger that comes into their families' existence because of polluters. That is the job.

Between 2016 and today, something has happened that you are not willing to just come right out and say that fossil fuels is the central culprit that has been ultimately created by human beings that the EPA's job has a responsibility to reduce. You refuse to actually take that central responsibility.

Thank you, Madam Chair.

Senator CAPITO. Senator Boozman?

Senator BOOZMAN. Thank you, Madam Chair. Again, congratulations to you and Senator Whitehouse. You all are going to be a great team, as usual, and a great example I think for the rest of Congress.

We appreciate your being here, appreciate your willingness to serve. We had a great meeting. I want to compliment you on the fact that you have made yourself available. I know you have worked on that really hard.

Senator Curtis, in response to a question of his, you talked about the frustration of writing letters, and you are at a hearing and nobody has responded, and making calls, you have maybe a situation like Dan talked about, or whatever Senator on both sides of the aisle, and you just can not get through to anybody.

Can you talk about, as a former member, how important that is to you to make sure that you are going to continue to be available, answer the phone and be such that we can get the information that we need to go forward?

Mr. ZELDIN. Senator, I want every member of this committee to have the ability to contact me, to be able to share directly your concerns and your ideas. I want to be responsive to all the members of this committee. I want my team to be able to work closely with your offices. I want to know what all of your priorities are at any given time. I want to make sure that I am accountable and transparent to this committee.

I spent 8 years in the House of Representatives. I have had an opportunity to see people come before committees and they were very responsive. I have seen the opposite. It is important—

Senator BOOZMAN. More often than not.

Mr. ZELDIN. Especially with your great Chair, and she has a great team to make sure that the EPW committee, on both sides of the aisle, with Senator Whitehouse and Senator Whitehouse's team, I want to make sure that there is a very strong relationship between this committee and the EPA.

Senator BOOZMAN. Very good. I have the privilege of serving my colleagues as chairman of the Ag Committee, which is the direct oversight of EPA's Office of Pesticide programs. I understand you and Agriculture Secretary nominee Brooke Rollins have a good working relationship. As issues affecting agriculture arise, I have found farmers and ranchers are best served when EPA and the Department of Agriculture are working together.

Can you tell us about how you envision EPA and USDA working together to create a predictable, science-based and efficient regulatory system to ensure the timely availability of products and tools farmers and ranchers depend on to produce the safest, most abundant and most affordable food supply in the world?

Mr. ZELDIN. I agree with everything that you just said, Senator, that must be our goal, that should be the relationship between all

agencies, including the interaction between the EPA and the USDA in a way that are able to go back to all of your constituents and to be able to talk about the progress that has been achieved as a result of these agencies working together.

Senator BOOZMAN. Thank you. For the last several years, the EPA failed to collaborate with industries and States prior to rule-making. I think that is true of whatever administration has been in power. Early in the Biden Administration, it became evident the EPA's agenda was shaped by the input from a narrow group of stakeholders.

Given that every rulemaking has a significant impact on businesses, workers, and domestic manufacturing which cannot simply be restored overnight, how will you work with industries more collectively to ensure that their concerns are addressed while maintaining a balanced approach to environmental protection?

Mr. ZELDIN. Senator, first off, it is important that the EPA is always fulfilling our obligations under the law, that we are abiding by the rule of law, that we are following our commitment to Congress to be able to follow the Administrative Procedures Act, and to ensure that all actions are durable, well into the future.

As far as engagement throughout that process, it is important to hear from people who have good, substantive, informed feedback that allows EPA to be able to do a better job, to make better decisions. That, at times, might involve me speaking to people who I might agree with or disagree with on any given day.

The worst thing that I could possibly do, that the EPA could do, is to turn a blind eye to great, substantive feedback that will better inform our decisions, so that we are being responsive and transparent, not just to Congress but also to the American people.

Senator BOOZMAN. Good. Thank you, Madam Chair.

Senator CAPITO. Thank you. Senator Schiff?

Senator SCHIFF. Thank you, Madam Chair. I feel I should address the mountains versus hills controversy.

[Laughter.]

Senator SCHIFF. As a Senator from a State in the west, I am inclined to agree with Senator Curtis. As I understand where the Chair is from, and you are the Chair, I am inclined to agree with the Chair.

Senator CAPITO. Thank you.

Senator SCHIFF. Let me just say unequivocally, I have friends on both sides of this issue and I stand with my friends.

[Laughter.]

Senator SCHIFF. Mr. Zeldin, as you are well aware, the horrific fires that have ravaged California over the last week have displaced thousands of people, resulted in a loss of more than two dozen lives. As these fires continue to destroy Californians' homes, livelihoods and so much more, it is more important than ever that California has the full support of the Federal Government to recover and respond. Fueled by severe drought conditions and strong Santa Ana winds, unimaginable events like these fires devastate communities and worsen Californians' water scarcity.

When you were a State Senator in New York, you were a member of the State Senate Bipartisan Task Force on Hurricane Sandy Recovery. You applauded a comprehensive legislative package that

included tax assessment relief for properties catastrophically damaged by the storm, revisions to regulatory obstacles that slowed down the rebuilding process, and improvement and continuing expansion of State insurance laws to help policymakers receive funds following disaster, and more.

In response to Hurricane Sandy, the EPA supported FEMA and worked closely with Federal agencies in the States of New Jersey and New York to assess damage and respond to environmental concerns. The EPA stepped in to assess the condition of drinking water and wastewater facilities, helped to get several damaged wastewater treatment plants in New Jersey up and running, evaluated conditions at hazardous waste sites, and assisted in the collection of debris and household hazardous waste.

Can you provide Californians with the assurance that you will advocate the same strong recovery and response assistance from the EPA as EPA provided to your then-constituents in Long Island after Hurricane Sandy, if confirmed?

Mr. ZELDIN. Senator, first off, congratulations on your election. I look forward to working with you on this committee. We all, from the rest of the Country, have been watching what is playing out for your constituents. Many of us know people who have been impacted, and they have lost everything. It is impossible for us to put ourselves in the shoes of your constituents right now.

I, if confirmed, would want to not only know everything in my power to be able to do as EPA Administrator to assist you in fighting for your constituents who have been devastated by these wildfires. I would want to in fact do everything in my power to be able to assist to make sure that this recovery is as speedy as possible. I would like to come to California to speak to those on the ground, hear any concerns that we need to take back with us to Washington, and to assist both you and Senator Padilla and your House colleagues to be able to fight for these constituents who have lost everything.

Senator SCHIFF. Thank you, Mr. Zeldin. We will welcome you to the State and look forward to your visit.

After the Maui fires in August 2023, EPA crews removed more than 200 tons of hazardous materials from 1,400-plus properties in the fire-impacted areas. EPA also deployed water emergency team members to provide on-the-ground guidance and technical assistance for stormwater, wastewater and drinking water for the County of Maui. Do you commit also to prioritizing similar assistance for California to ensure that local water supplies are tested, treated, and restored to safe drinking water standards, just as EPA stepped in to do after the horrific Maui fires?

Mr. ZELDIN. Senator, I would want to do everything in my power, if confirmed as EPA Administrator, to be able to assist with that as well.

Senator SCHIFF. I assume, Mr. Zeldin, your response will not depend on whether disaster strikes a red State or a blue State, you will equally work to speed relief to those Americans affected?

Mr. ZELDIN. Yes, Senator, it does not matter what kind of a State you are from. All 50 States are going to be of the highest importance, regardless of where disaster ever strikes, anywhere in America.

Senator SCHIFF. Thank you. Let me touch on one other major issue that we discussed yesterday, that is the Tijuana River pollution crisis. This crisis has brought immense industrial waste and raw sewage over the border from Mexico into California, posing serious environmental and public health challenges to San Diego and Imperial County. We have had beaches shut down, we have had SEAL training facilities deeply impacted, Coast Guard and Customs and Border personnel have routinely reported suffering from infections and gastrointestinal illnesses.

Thanks to the work of Senator Padilla and Representative Scott Peters and others, we were able to secure \$250 million in disaster supplement relief in December. EPA can play a pivotal role in this crisis as well.

I would ask you to support EPA's Border Water Infrastructure Program, but also, will you agree to review EPA's January 7th decision to deny a request to investigate the Tijuana River Valley for a potential Superfund designation? I am not asking you to prejudge it, but will you agree to review it and consider whether a different judgment should be reached?

Mr. ZELDIN. Yes, Senator.

Senator SCHIFF. I thank you. Thank you, Madam Chair.

Senator CAPITO. Thank you. Senator Lummis?

Senator LUMMIS. Thank you, Madam Chairman. Congratulations to you and to our Ranking Member. I look forward to working with you both.

Mr. Zeldin, it is great to see you. Thank you for accepting this nomination and appearing before this committee. I enjoyed serving with you in the U.S. House and look forward to serving with you in your new role at EPA. I also want to extend my warmest welcome to your family.

I want to start with a very, very fundamental question and give you an example. The question is, is it your job as EPA Administrator to follow the science or follow the law? Here is the question associated with that question. Clean Power Plan 2.0 has rules associated with it that run afoul of the Supreme Court's ruling in *West Virginia v. EPA*. As Administrator, will you follow the law both in statute and as interpreted by the Supreme Court?

Mr. ZELDIN. Senator, on every situation, if confirmed as EPA Administrator, my first obligation will always be to follow my obligations under the law.

Senator LUMMIS. With regard to goals in clean air, is the goal to have clean air or is the goal to eliminate specific fuels?

Mr. ZELDIN. The goal, the reason why a regulation might be in place is the end State of wanting to have the cleanest, safest, healthiest air, drinking water. That is the goal, the end State of all the conversations that we might have, any regulations that might get passed, any laws that might get passed by Congress. What brings us all together should be the ultimate goal of having clean air and clean water.

Senator LUMMIS. That is my goal as well, and I look forward to working with you to accomplish that goal.

I spent 4 days in October in Silicon Valley mostly meeting with firms that are developing artificial intelligence. If the U.S. is to be the leader in developing AI, we need abundant energy. It has to be

baseload energy. The demands of artificial intelligence for energy are going to be extraordinary.

Our goal, as you and I agree, is to provide that additional abundant energy so the United States can remain the leader in the world on the development of artificial intelligence, provide that additional energy in the cleanest way possible. In some instances, that may involve finding the absolute cleanest way to continue to use fossil fuels.

I want to point out to you, if you look at how clean natural gas is, in the United States, compared to other countries and compared to other sources of energy, you would be stunned at how clean it is. Yet sometimes this panel and others tend to lump all fossil fuels together and assume that they cannot be provided as part of the energy baseload in this Country in a clean way.

I would like to invite you to Wyoming so we can show you that there are ways that fossil fuel can be used and the carbon capture and sequestration can be used to help include all types of fuels in developing the energy this Country needs in order to be artificial intelligence leader of the world.

Now, I have another question with regard to small refineries. Thank you for indulging that editorial comment. Are you aware that there are more than 100 petitions for hardship relief that remain to be decided by EPA, some dating back more than 5 years, with regard to small refineries? If confirmed, can we work together to outline an expedient timeline for reaching decisions?

Mr. ZELDIN. Yes, Senator.

Senator LUMMIS. Thank you. I want to include a couple of other questions that I think are of significance with regard to PFAS. I am running between two hearings, so excuse me if I am being repetitive.

Do you plan to ensure that EPA's policies are effective while protecting passive receivers from lawsuits and consumers with unreasonably high utility bills? Let me explain here. The Biden Administration's plan to designate legacy PFAS as hazardous substances under CERCLA can impose liability on entities like municipal water systems that did not produce or knowingly handle these chemicals. These entities are called passive receivers. I know that it is true at airports. They have PFAS issues as well.

These passive receivers are now vulnerable to lawsuits that literally could bankrupt small local governments across the Nation. My concern is that, of course, we address PFAS issues, but not in a way that submits small local water systems and airports to litigation.

Mr. ZELDIN. Senator, thank you for raising this issue. I have heard it from your colleagues on this committee on both sides of the aisle during my meetings. It is something that is a big issue to you and it will therefore be a big issue for me.

I also saw it in my home county of Suffolk County where we had PFAS issues. The passive receiver issue is something where, it can get passed down to the consumer where they end up paying for the cleanup costs in a way that we need to be cognizant of at the EPA.

Senator LUMMIS. Thank you, Mr. Zeldin. Thank you, Madam Chairman. I am sorry I ran over.

Senator CAPITO. No, good. I am pleased to welcome one of our newer members, Senator Alsobrooks. I would welcome you and remind you that you have very large shoes to fill with Senator Cardin leaving from the great State of Maryland. I am sure you will be able to do that.

Welcome, and it is great to have you on the committee.

Senator ALSOBROOKS. Thank you so much.

First of all I would like to say thank you so much to Chairwoman Capito and Ranking Member Whitehouse, for your leadership on this committee and for holding today's hearing. I agree with you that we miss Senator Ben Cardin, but I am excited to be able to join this committee.

EPW has jurisdiction over many issues that are important to Marylanders, and I look forward to working with both of you as well as all of our colleagues on this committee to address the environmental and infrastructure challenges that we face in our States.

To Mr. Zeldin, congratulations again to you and to your family on your nomination. Thank you as well for your willingness to serve and for appearing before our committee today.

I appreciated and very much enjoyed meeting with you and having the opportunity to speak with you. I suspect that my questions will come as no surprise to you based on that conversation. In the interest of time, I would ask that as much as possible that you would answer yes or no to the following questions.

While in Congress, you worked to ensure that EPA's efforts to restore the Long Island Sound were successful, including advocating for Federal funding. Like Long Island Sound in New York and Connecticut, the Chesapeake Bay is an economic driver in Maryland and across the Bay watershed. The Bay is the Nation's largest estuary, and is one of the most productive fisheries in the United States.

I ask you whether you would agree that restoring and protecting our Nation's estuaries and watersheds is a shared responsibility between the States and the Federal Government?

Mr. ZELDIN. Yes, Senator.

Senator ALSOBROOKS. Furthermore, if confirmed, will you advocate for robust Federal funding for regional restoration efforts across the Country, including the Chesapeake Bay and for the National Estuary Program?

Mr. ZELDIN. Yes, Senator. Ultimately, it will be up to Congress to decide on funding levels, and it will be my obligation to make sure that money will be spent to Congress' intent.

Senator ALSOBROOKS. Thank you.

Now, the EPA has said that no amount of lead in drinking water is safe. Lead in drinking water is particularly dangerous for children. The Bipartisan Infrastructure Law, which you opposed as a Member of Congress, made historic down payments on lead pipe replacement to ensure that communities across America have access to safe drinking water from lead contamination.

If confirmed, will you build on the success of the Bipartisan Infrastructure Law and support additional funding for lead pipe replacement?

Mr. ZELDIN. Senator, yes to the same answer as my last question. Ultimately it is going to be up to Congress to decide what the

policy is, the laws, what the funding level is. My commitment and my obligation will be to make sure that that funding is spent to Congress' intent as laid out in those appropriations.

Senator ALSOBROOKS. You recognize that lead in water is a problem, particularly for children?

Mr. ZELDIN. Yes, Senator.

Senator ALSOBROOKS. Would you be able to commit to not cutting funding that would aid in replacement of these lines?

Mr. ZELDIN. Senator, I, if confirmed as Administrator of the EPA, will not be cutting any funding. That is a decision as far as funding levels for Congress to set. Whatever funding level Congress decides on up is going to be the letter, is going to be the number that I am committed to fulfill my obligation of being a good steward of the tax dollars and spend to Congress' intent.

Senator ALSOBROOKS. Okay. Now, the unofficial department of government efficiency led by Elon Musk has proposed laying off 75 percent of government workers. Across the Federal Government, the plan would result in more than 1.7 million civilian employees being laid off, including almost 500,000 veterans. If the Trump Administration follows through on this proposal, that would mean more than 12,000 employees at the EPA would be laid off. Many of these are hard-working, dedicated public servants who live in Maryland.

Do you support firing 75 percent of EPA employees?

Mr. ZELDIN. Senator, off-hand, I am not even aware of a single person being fired during the first Trump Administration at the EPA. That might not, that is not the same for other agencies. By the way, there might have been someone, I just have not been told about it. I want to make sure that my job as EPA Administrator is to increase productivity, is to make sure that we are efficient and accountable and transparent, and that we are to you, not just myself as administrator but our entire team, for us to be in the office, collaborative and productive.

Senator ALSOBROOKS. In a similar vein, I asked you about another issue, and that is moving EPA headquarters outside of Washington, DC. I wonder whether or not you agree with that effort, the effort of moving them out of Washington, DC, or whether you would oppose it.

Mr. ZELDIN. Senator, no one has expressed to me in any setting since I was announced as nominee or before that, of any plans with regard to moving the EPA headquarters out of D.C. I have not been involved in any conversation. I am not aware of any conversation.

Senator ALSOBROOKS. That is the time I have. Thank you so much.

Senator CAPITO. Senator Graham?

Senator GRAHAM. Thank you. Congratulations. I think you are a really good choice.

You are a lieutenant colonel in the U.S. Army Reserves, is that correct?

Mr. ZELDIN. Yes, Senator.

Senator GRAHAM. What do you do?

Mr. ZELDIN. I am currently an international law officer for a civil affairs command based in Fort Wadsworth, New York.

Senator GRAHAM. You are a JAG officer?

Mr. ZELDIN. Yes, Senator.

Senator GRAHAM. If Pete Hegseth gives you a hard time, call me.

Mr. ZELDIN. Yes, Senator, got it.

Senator GRAHAM. Senator Whitehouse and myself have been working on climate issues for a long time. I saw that you were chairman or a member of the bipartisan Climate Solutions Compass, is that correct?

Mr. ZELDIN. Yes, Senator.

Senator GRAHAM. Why did you do that?

Mr. ZELDIN. I represented a district where I was hearing from constituents on both sides of the aisle of how important it is that, I was doing everything to fulfill their priorities, their policy pursuit.

Senator GRAHAM. What mattered to your constituents, your constituents who were concerned about the environment.

Mr. ZELDIN. Very much so, Senator.

Senator GRAHAM. Well, I think they are right to be.

In terms of fires and God bless the people in California, we want to help them as much as we can, quick as we can, Helene came through South Carolina and North Carolina, very tough. Let's help people. Is it Okay to try to look at lessons learned when you look at disasters, what can we do better next time?

Mr. ZELDIN. We must do that, Senator.

Senator GRAHAM. I would encourage you to not be deterred from looking at lessons learned, no matter where it happens, in any part of the Country. Let's learn from these disasters, see if we can do better next time.

One thing that I find fascinating is, I could tell you what States grow corn, because I want to talk about ethanol. I can tell you exactly, when you had the Senator from Wyoming saying natural gas is clean, she is right. Why is she saying that? The truth is America has become environmentally sensitive. We want to lower emissions, but we do not want to wreck our economy. It does not matter what we do if other people do not play the same game.

The good news from me to this committee is that energy-producing States, when that energy source seems to have a positive environmental impact, they are proud of it. Nuclear power, do you think nuclear power should be a part of the mix?

Mr. ZELDIN. Yes, Senator.

Senator GRAHAM. Yes, me too. I think small modular reactors need to be looked at again. We had disasters building big nuclear power plants, but they are not emitting sources of fuel like every other fuel source. They have their problems and down side, but I am glad, I think my State has the most power from the nuclear energy per capita of any State in the Nation. I am a big fan of trying to expand our nuclear power footprint, look forward to working with you.

Now, no matter what we do here, I think a lot of us feel like we have gone too far, EPA has ignored the law, they kind of have a political agenda rather than as congressional agenda, or they violate Supreme Court holdings, we are going to have that debate among ourselves. One thing I think we need to look at, no matter what we do here, we all care about the environment. When it comes to CO2 emissions, let's just use that, China and India, the

Paris Accords to me were insufficient to the task. I have been working with Senator Whitehouse.

How can you get big economies like China and India to adopt better practices? Tariffs, if you are a tariff person, your ship has come in. Tariffs on everything and everybody, apparently.

One of the things that Senator Whitehouse and I have been talking about is a carbon pollution fee, tariff, call it whatever you want, that if you are in China and you are making steel and you have the worst business practices, you are in India, you have really basically no environmental practices and all, Europe and the United States, we are trying to have responsible manufacturing and energy extraction, trying to be environmentally sensitive, realize we have to run an economy, what should we do about China and India? Do you like the idea or at least are you open minded to the idea that people who basically use unsound science, reckless environmental policy, maybe it is time for them to pay a fee?

Mr. ZELDIN. Senator, and thank you for your service as well, as you remember learning about the DIME principle as an officer in the military, we have multiple instruments of national power. Putting aside the military, we have instruments of national power, of multi-lateral, bilateral diplomacy, information operations and economic pressure. We need to be using all instruments of national power to be able to deal with adversaries abroad, across the spectrum of all the issues that face our Country.

With regard to specific policies, and you brought this up, your work with Senator Whitehouse on this issue, when we met in your office, and I know that this is important to both of you. Ultimately, this is a matter for Congress to decide in what direction Congress wants to see this Country to go as far as writing laws and—

Senator GRAHAM. Do you agree with the concept that we need to push China and India? I mean, they have an advantage. They are not playing the same game that Europe and the United States is playing, and I think it is the game we should all be playing. Are you open minded to push them to do better?

Mr. ZELDIN. Yes, Senator.

Senator CAPITO. All right, we will go to Senator Wicker.

Senator WICKER. Thank you very much, Mr. Zeldin. I am absolutely delighted that someone of your intellect and character is going to take over this position. I certainly support it.

There has been a lot of talk about PFAS. Let me just say, I applaud your answers. I think it is important for the public to realize that we need to what we can to prevent exposure to PFAS. In terms of the things we are needing for national security, such as munitions, aircraft and vehicles for the Department of Defense, we can not do without it and we are going to have to use it for a while. That is a statement that I will not attach a question to, since it has already been discussed.

Let me talk about a couple of items of local interest. DeSoto County is a county in Mississippi that is a suburban county to Memphis, Tennessee. Some years ago, Memphis and DeSoto County went in together, got Federal funding for a wastewater disposal system. As DeSoto County has now exploded in population and is now 200,000 people, the people of the city of Memphis decided that we were taking too much capacity, and that DeSoto County should

go it on its own. We went to a Federal court and perhaps a Tennessee judge saw it the way that Memphis was looking at it, anyway, ruled that DeSoto County has got to get their own wastewater system and do it in a hurry.

Happy to do this, but the Federal Government having told us that we have to do it, we are going to need some help. I hope that you can commit to using all your authority at your disposal through subsidy, loans, and other mechanisms, to help us fund this very expensive thing that is being required of us. I believe the EPA should engage with the regional offices to ensure that they are taking a proactive role in addressing critical needs.

Will you commit in your new role to working with us and with the city of Memphis to resolve this problem?

Mr. ZELDIN. Yes, Senator.

Senator WICKER. I very much appreciate that.

Now, let's move down to Jackson, Mississippi, where we had a flood problem for some decades. A flood control measure was authorized in the WRDA Act of 1986. I do not know what you were doing in 1986, Mr. Zeldin, but it was a long time ago. This initiative has undergone several revisions and at my urging and my almost weekly and monthly exhortations, we are nearing final approval of the Pearl River Flood Control Project in Jackson, Mississippi.

The local sponsor backing the project, which is the Rankin Hinds County Pearl River Flood and Drainage Control District, has diligently addressed all the environmental concerns. I hope we get approved in this calendar year. I do not want decisions made in some room where our guys are not there to at least put their point of view in.

Would you agree that local sponsors should be involved in discussions, scheduling in meetings and activities related to finding solutions as we go forward in the final stages?

Mr. ZELDIN. Yes, Senator, and I would like to travel to your State and meet with these individuals and these groups who you want to make sure I hear their feedback from.

Senator WICKER. Good. Well, I can assure you it is bipartisan and about as broadly based as possible.

Now, let me just mention something, and I do not know that you can make any promises to me, because this is before the Supreme Court. I just want to say on the record, there is a Good Neighbor rule that has come out of the Biden Administration. It has somehow concluded that my State of Mississippi, a population of under 3 million, is somehow to be penalized for downwind ozone pollution from Mississippi to Dallas-Fort Worth and Houston.

Now, those of us who have seen weather maps, we know kind of the way weather travels. It does not travel from east of the Mississippi back to Houston and Dallas. Somehow, they have determined that our largely rural State of Mississippi should be penalized for ozone pollution in Dallas and Houston. The Supreme Court is looking at it, I do not think you can comment on it. I hope we can rescind the rule entirely. I just want you to be aware of how utterly absurd the Federal Government has been with regard to this Good Neighbor rule.

Mr. ZELDIN. Understood, Senator.

Senator WICKER. Thank you very much, and thank you, Madam Chair.

Senator CAPITO. Certainly. Senator Padilla?

Senator PADILLA. Thank you, Madam Chair. I want to first of all congratulate you on the nomination, congratulate your family who is here to support you and acknowledge what I understand was a very positive exchange you had with my colleague from California, Senator Schiff, in regard to the current wildfires and EPA's role, partnership, response, and our ongoing need to maintain that. I too look forward to welcoming you to visited the impacted areas.

That allows me to actually raise some other issues of priority and concern for California. I appreciate your comments when we had a chance to meet in my office about your respect for the rule of law. It should be important for all of us, right? The directives that you respect that Congress has given to the EPA is in that category. In the Clean Air Act, Congress has specifically exempted California from Federal preemption of air emissions standards. The law is quite clear that EPA must grant waivers of Federal preemption absent certain disqualifying conditions. It very clearly does not provide any authority to revoke any waivers that have already been granted. That is current law.

You stated you follow the law, the laws that Congress has enacted, so therefore commit to following the law when it comes to California's Clean Air Act waivers that have been granted.

Mr. ZELDIN. Senator, I can commit to every member of this dais on any question and every issues that gets brought forward that I will always follow my obligations under the law. While there are processes in the future on different topics where I will, I can commit to following the Administrative Procedures Act, I will tell you that I will not prejudice any outcomes of any future processes, again, on any issue that any member can bring up here.

Senator, I would reiterate to you today that it is my obligation as EPA Administrator, if confirmed, to follow the law.

Senator PADILLA. Thank you. Another topic we covered in our meeting is one of clean air attainment and the challenges, the Federal role and responsibility, State, local role. Half the people in America who live in a non-attainment area live in California, particularly in the Central Valley and the South Coast Air Quality Management District footprint. We have to work together to reduce the sources of toxic emissions. Based on these jurisdictions, the challenged California State and local officials have done pretty much everything they can to tackle this. Yet we still have challenges when it comes to ensuring that every Californian, every American living in California can breathe clean air.

I want to be clear, we want the Federal Government to do its part by working more aggressively, assertively, smartly and strategically to help reduce these emissions, help us reach attainment, not by lowering the bar, but by doing the work in areas that the locals have not been granted jurisdiction to do so.

Can I count on your commitment to use regulatory authority to do just that?

Mr. ZELDIN. Yes, sir.

Senator PADILLA. Okay. Wonderful. Just as a side note, we will continue to work together in assuring that jurisdictions like South-

ern California are not punished for non-attainment if it is resulting from the recent wildfires and the smoke and other emissions that have resulted from this disaster or disasters like it.

Mr. ZELDIN. Yes, Senator, I have heard this concern from other colleagues of yours as well. We were just talking to Senator Kelly about it, he cited the Yuma example. He was asking about Maricopa County. It is important that we have common sense, pragmatic policies that are being pursued to address issues just like your concern.

Senator PADILLA. To your point, and I know Senator Kelly brought it up, these concerns about fires and their impact, not just the short-term devastation but the longer-term when it comes to public health, when it comes to air quality, is not unique to California, California is in the news right now, but throughout the west, and beyond because of our changing climate and weather patterns.

Another important topic that we discussed in my office is not just water, water supply, water quality, but water affordability. Millions of Americans are struggling to keep up with their growing water bills, which have increased nearly three times the rate of inflation. According to the EPA, water utilities, the costs of water will grow to more than \$1.2 trillion over the next 20 years to modernize our drinking water and wastewater infrastructure, and maintain it. Water utilities, unique to other utilities, rely heavily on ratepayers to cover their costs. The Federal Government's share of maintaining its infrastructure has come down significantly over the years. Ratepayers are acutely feeling this pressure.

As a result, one in five households have outstanding and growing water debt. The national water affordability crisis affects both urban and rural communities. It is not just rural, urban, blue State or red State, it is across the board.

I shared with you the idea of replicating the LIHEAP program. We have a Low Income Home Energy Assistance Program, because you should not have to freeze in the winter just because you may be low income. The same applies to having water; we know how fundamental water is for life and the economy. We have had a temporary water assistance program for low income customers. Would you agree to work together to make that permanent to tackle some of these challenges including some of the PFAS concerns that you are very familiar with?

Mr. ZELDIN. Senator, having access to clean drinking water is something that I want to, if confirmed, be able to do my part and working with you and your colleagues across the entire Country to deliver. Every American, in my opinion, and it is just my opinion, should be able to access clean drinking water. I will follow all my obligations under the law, and to the fullest extent of the law, I would like to assist in those efforts for you to fight for your constituents and every Senator here to fight for their constituents in this respect.

Senator PADILLA. With a temporary program that is hugely successful helping families in, again, red State and blue States alike, I look forward to working with you to make that program permanent.

Senator CAPITO. Thank you. Senator Moran?

Senator MORAN. Chairwoman, thank you, and thank you, Ranking Member, Mr. Vice Chairman. I am pleased to be back and sitting here at the dais of the EPW committee.

Thank you very much for your testimony. Thank you for the conversation we have had in my office. Thank you for your willingness to serve.

Let me highlight a couple of things that we may not have talked about when we did visit. I want to describe the Kansas oil and gas industry to you. We are an oil and gas producing State, but our production is done by really small, independent companies that produce from what we call stripper wells, which means they produce less than 15 barrels of oil a day. It is a significant component of the Kansas economy and significantly important. In my view, this small sized, small business man and woman who operate oil and gas leases and explore for additional production of oil and gas, the EPA has written one size fits all solutions. We are not the majors. We are stripper oil producers. I just want your commitment to work with the industry, these small producers, to find right sized regulations for the circumstances that they are in.

Mr. ZELDIN. Senator, I would welcome an opportunity to travel to your State to meet with them, whether it is at your office or elsewhere. I want to know about all your priorities, including this one, but also to make sure that anyone who can provide any type of insight that can make me better informed to make better decisions, that I welcome any of those opportunities for conversations and collaboration.

Senator MORAN. I think that is a wonderful offer on your part, and I am very grateful for it. I sometimes am reluctant to ask every nominee that comes before me, would you please come visit Kansas, and you volunteered. I am appreciative of that. I would tell you, I can not imagine the excitement, the opportunity that people in that industry would seem to have the capability of talking to somebody like you directly in a State like Kansas. Thank you and we will get on your schedule, although you have to say once confirmed. I look forward to that.

In a different vein of energy production, I created with my colleague Senator Boozman and others a sustainable aviation fuel caucus. Kansas and Wichita in particular is the air capital of the world. We produce many more generation aviation aircraft than anybody. We manufacture with thousands of employees working in aviation and aerospace. I want to bring together the opportunity to bring the agricultural aspects of Kansas together with the aviation aspects and pursue the development of SAF, Sustainable Aviation Fuel.

I wanted to know, I guess the question would be, we need your help in pursuing opportunities to develop the technology and any regulations that would follow that. I suppose if you are coming to Kansas, we ought to introduce you to the people who are in the process of developing a new industry, as the airline industry shifts itself from fossil fuels—let me say that differently—from the fuels it uses today to sustainable aviation fuel produced by agricultural byproducts.

Mr. ZELDIN. Senator, I look forward to that conversation as well.

Senator MORAN. State Revolving Funds, I do not know whether anybody has asked this question before, but it would be a mistake for me. Clean Water and Drinking Water State Revolving Funds are hugely important. I represent a lot of communities in which they are placed under significant requirements by the Federal Government, but they do not have the ratepayers. They do not have the number of users of water.

It stands out to me, there is a small town in my home county, a town of about 80 people, have a regulation that they could not raise the rates on their water users sufficiently enough to pay for the regulations. The Clean Water and Drinking Water State Revolving Fund is hugely important to help small communities meet the needs. Many, if not all, want to meet those standards, want their consumer, their water purchaser, to have the cleanest, safest drinking water possible. Yet the rules are so unaffordable that you do not know where to turn.

I will work with you, and I just want to make sure that you would commit to continuing to support a robust funding.

Mr. ZELDIN. Yes, Senator, ultimately the funding level will be set by Congress. It will be my responsibility to ensure that I do my part to fulfill congressional intent and be a good steward of tax dollars, so that I can report back to you on all sources of funding coming through the EPA. This specifically I have heard from other colleagues of yours on this day, so it is a top priority of theirs. Therefore, it will be a top priority of mine, too.

Senator MORAN. Thank you for that. I would also add that you should need to be a voice within the Administration as the budget is prepared and OMB makes decisions in support for the fund as well. It is certainly true that Congress—Presidential budgets are not irrelevant. It is useful if we start with a robust number that is beneficial to the Country.

Last question I will ask is, I am interested in what our Country is doing, I am involved in the national security aspects, my time in the Senate involves those things. Is there any role for EPA to play in the critical minerals world?

Mr. ZELDIN. Yes, Senator. President Trump has expressed a desire of having an energy council. He wants there to be collaboration between different agencies of different levels of jurisdiction. That involves everything from permitting reform, which is one topic actually that I heard Senator Whitehouse reference earlier in his opening remarks. I believe that it is important for agencies to be working together, regardless of whether we are the lead agency or we have a different role to play of following another agency.

I look forward to any collaboration working with other agencies to do EPA's part.

Senator MORAN. Congressman Zeldin, thank you for taking my questions and responding.

Mr. ZELDIN. Thank you, Senator.

Senator CAPITO. Thank you.

Last but not least is someone who also has some big shoes to fill as the former Chairman of this committee was from the great State of Delaware. I know that Senator Blunt Rochester is well up the task, and we welcome her to the committee and welcome you to the questioning. Thank you.

Senator Blunt Rochester. Thank you, Madam Chairwoman, and thank you so much to you and the Ranking Member for the warm welcome. I am excited to be on this committee. Senator Carper and I wear different types of shoes; I wear pumps.

[Laughter.]

Senator Blunt Rochester. Let me begin by expressing my gratitude, though, to the former Chairman of this committee, my friend and mentor, Senator Tom Carper, for his years of faithful service, not only to this committee but also to our Nation and to saving our planet. I am proud to be able to be a member of this committee.

Mr. Zeldin, I appreciated your visit last week. You clearly stated in your testimony that we must ensure that we protect our environment. In our conversation, I shared with you the rich diversity of my State, from our farmers to city dwellers, to our coastal communities, and our environmental justice communities, and why the EPA is such an important and great partner to our State.

I have, in my time in the House, prioritized clean air, clean drinking water, affordability of those things as well. For us, it is critical that we have the best candidate for EPA Administrator.

In our conversation, I was really pleased also that you earnestly acknowledged that climate change is real, and that you were committed, you actually affirmatively, before I even got the question out, said you have committed to following the science and letting that dictate the policies of the EPA. As I said in my home State, we feel the impact of climate every single day. As a former member of the House, I know we talked about the similarities in our district, low-lying, vulnerable to sea level rise, and it is critical to our coastal communities.

How will you direct the EPA to help these communities like ours survive the rising sea levels and extreme weather brought on by the climate crisis?

Mr. ZELDIN. Senator, this is a topic that involves multiple agencies working together. EPA being able to do its part is incredibly important. EPA might not have the funding that the Army Corps of Engineers is bringing to a particular project as may be authorized by Congress. The Department of Interior might be working on a particular aspect of this under its jurisdiction. The collaboration between agencies is critical. The collaboration between agencies and Congress is going to be important as well.

I think it also helps for I, if confirmed as EPA Administrator, to be traveling to a State like yours to see issues first-hand on the ground, especially when they emerge at times little noticed, sometimes with far more notice, to be able to hear from people who have been working on these issues a long time, to be able to hear that feedback, to allow that feedback to inform my decisionmaking and to bring that feedback with me to Washington, DC. when I return from those trips, which I look forward to, if invited, coming to visit your State with you.

Senator Blunt Rochester. Thank you so much. I have a couple yes or no questions, because I know time is limited. You stated that EPA's mission is to protect the health of the public and the environment. Is it still your position, yes or no?

Mr. ZELDIN. Yes.

Senator Blunt Rochester. Will you ensure EPA prioritizes policies that promote access to clean water? Yes or no?

Mr. ZELDIN. Clean what, Senator?

Senator Blunt Rochester. Clean water.

Mr. ZELDIN. Yes, Senator.

Senator Blunt Rochester. As you know, many rural communities have old water infrastructure, rely on well water, particularly in Delaware, which creates significant water quality issues. How will your EPA help these communities access effective solutions, such as upgrades to stormwater infrastructure, watershed restoration, or water infiltration?

Mr. ZELDIN. Senator, Congress has approached these issues in the past in certain creative ways. In some respects, it could be an aspect of congressionally directed spending I have seen go to a particular community where they are able to mitigate an issue of water contamination as we experienced in Suffolk County where my congressional district was located and where we had multiple aspects of PFAS contamination.

The first step is to be able to get access to drinking water. Even if that is providing bottled water, that is a partnership that starts with local leadership where a State and Federal Government is asking, what can we do to assist. What is important is long-term mitigation. What is so frustrating to the American public is when they see these issues lasting for 10, 20, 30 years and the ball is never moving in the right direction.

I look forward to doing my part to work with your local communities to get these issues mitigated to whatever extent I can help.

Senator Blunt Rochester. You actually brought up for me something that was personal. We had communities that did not have access to clean drinking water in our State. It was important for us to work under the Revolving State Water Fund, getting that water to those communities, but also the water affordability. Senator Padilla mentioned the work on the LIHEAP, low income for water programs. I led that charge in the House side, and would love to continue working again to make this a permanent program for those families.

I will yield back and hopefully we will have a second round of questions, so then I can ask about soot particulate matter. Thank you.

Senator CAPITO. Thank you. This does end the first round. I would say we had full participation on the committee, which we are going to expect at every meeting, right? I am very pleased with that.

I also, in the interest of not wanting to hurt a new member of my committee, neglected to welcome Senator Moran as a new member of this committee. Welcome.

Senator MORAN. A returning member.

Senator CAPITO. A returning, well, that is why I didn't say anything, because you are returning.

[Laughter.]

Senator CAPITO. In any event, I didn't want to chance those hurt feelings, since mine have been hurt all day by denigrating my mountains, but we will not get into that any longer.

We are going to go to second round, and we will do it in the same order as the folks that were here. Before I begin my round, I would like to put into the record a January 3d support letter from the former Chairman of the Suffolk County Water Authority, which states, "The EPA requires strong leadership that balances the complexities of environmental protection with the practical needs of communities across the Country. Mr. Zeldin's track record on Long Island exemplifies his ability to lead with compassion, decisiveness and a clear focus on results. He has already shown his dedication to the values that the EPA upholds and I am confident he will continue to champion these priorities on a national scale."

I ask unanimous consent, which I will grant myself, to enter this into the record.

[The referenced information follows:]



Hon. Shelley Moore Capito
Environment and Public Works Committee
410 Dirksen Senate Office Building
Washington, DC 20510

January 3rd, 2025

Dear Chairwoman Capito,

I am writing as a former Chairman of the Suffolk County Water Authority (SCWA) to express my strong support for the nomination of Lee Zeldin as the next Administrator of the Environmental Protection Agency (EPA). SCWA is one of the largest groundwater suppliers in the nation, serving 1.2 million residents of Suffolk County, New York. They are recognized as a leader in the drinking water industry, renowned for its cutting-edge innovation and for operating the largest non-commercial groundwater testing laboratory in the country.

I served on the SCWA Board from 2006 to 2023, including five years as Chairman from 2018 to 2023. During that time, I had the privilege of working closely with Mr. Zeldin, first during his tenure in the New York State Senate and later as a congressman representing New York's First District. I witnessed firsthand his unwavering commitment to protecting human health and the environment, particularly when addressing drinking water challenges on Long Island.

We recently marked the 50th anniversary of the Safe Drinking Water Act, a measure that has helped provide clean drinking water to millions of Americans. As a former representative of an area deeply impacted by emerging contaminants, Mr. Zeldin understands the critical importance of this landmark law and the role the EPA plays in enforcing it. His leadership and appreciation for the Act's significance have been evident in his efforts to address some of the most urgent drinking water challenges in Suffolk County.

SCWA has been on the front line of addressing emerging contaminants like PFAS and 1,4-dioxane; carcinogenic chemicals that have polluted Suffolk County's sole source aquifer. SCWA led the way in deploying advanced treatment technologies, such as Advanced Oxidation Process (AOP) systems, to ensure that residents continue to receive high-quality drinking water. Mr. Zeldin has demonstrated an exceptional understanding of these challenges and the federal

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government's role in partnering with water providers to combat them. His efforts have been instrumental in giving customers confidence that the water SCWA delivers to them is safe, and his support for water treatment innovation has been vital.

While in Congress, Mr. Zeldin was instrumental in securing critical funding to expand public water access to neighborhoods affected by PFAS contamination, a pervasive and harmful threat to public health. Specifically, his efforts helped SCWA obtain \$7 million to connect homes in Manorville and \$5 million for homes in Calverton to public water systems. These communities had long relied on private wells contaminated by PFAS, leaving residents unable to trust the water they used for drinking, cooking or bathing.

PFAS contamination disrupts more than just daily routines; it undermines a family's quality of life and peace of mind. Imagine the uncertainty of wondering whether the water you give your child is safe, or the financial burden of purchasing bottled water and filtration systems just to meet basic needs. This is why Mr. Zeldin recognized the urgency of government intervention. The cost of connecting individual homes to public water systems can be prohibitively expensive for many families. His leadership ensured that federal resources were allocated to address this critical health emergency, a clear sign of his commitment to safeguarding public health and protecting the environment.

Mr. Zeldin's actions demonstrate a deep understanding of the EPA's mission and the essential role it plays in ensuring access to safe drinking water. He has seen firsthand the devastating impact that a lack of access to reliable, high-quality water can have on communities. Moreover, his responsiveness and professionalism in addressing these issues have earned him widespread respect among local leaders and constituents alike.

The EPA requires strong leadership that balances the complexities of environmental protection with the practical needs of communities across the country. Mr. Zeldin's track record on Long Island exemplifies his ability to lead with compassion, decisiveness and a clear focus on results. He has already shown his dedication to the values that the EPA upholds, and I am confident that he will continue to champion these priorities on a national scale.

Thank you for your consideration of Mr. Zeldin's nomination. I am confident that his leadership will strengthen the EPA's work and enhance the public trust in its mission. Please do not hesitate to contact me if I can provide further insights into his contributions to Long Island and his ability to lead the EPA effectively.



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Former Chairman
Suffolk County Water Authority

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Senator CAPITO. I would say there are always no better advocates than our local advocates who actually work with us all the time. Obviously, you have a very strong constituency there.

I am going to ask quickly just a couple of questions. Class Six wells, which are used to inject carbon dioxide into deep rock formations, advancing carbon capture and storage technologies, obviously very important to my State. We provided EPA funding to the IJJA to have the EPA grant State primacy for Class Six wells, since they constitute a different aspect of permitting.

To date, only three of these States have been granted Class Six primacy. The EPA has 150 permit applications pending for approval. We have three Class Six well projects under review, and the proposed final action granting West Virginia our State primacy was published in the Federal Register on November the 25th. This is going to be very important to us. We had testimony last year that North Dakota, who has primacy, was able to permit, I think, seven wells in a short period of time, whereas the EPA, when they were trying to permit under their Federal authority, it took them over many more years, the time to permit just three. You can see how those who, again, who are closest to the situation have the ability to make good decisions.

Will you prioritize the timely completion of West Virginia's Class Six permitting process, and work with me to ensure that the EPA is a resource rather than a barrier in this transition?

Mr. ZELDIN. Yes, Senator.

Senator CAPITO. Thank you.

You mentioned permitting, and I was very pleased to hear Senator Whitehouse mention permitting reform. We have had lots of stops and starts over the last probably two to 3 years on this very issue. It is holding up construction of critical energy, manufacturing, infrastructure, transportation, does not matter what kind of energy, renewable energy, pipelines, whatever. We need to make it easier to build an America, I believe that is President Trump's vision as well, by modernizing and streamlining our environmental review and permitting processes.

Congressman Zeldin, what opportunities do you see for EPA to be able to establish more efficient and predictable permitting processes in addition to working with all the other agencies that play a part on this vital decisions?

Mr. ZELDIN. Chairman Capito, that last part of your question is key for different agencies to be able to work with each other, collaborating with each other and also for agencies to be able to collaborate with Congress on any opportunities that Congress sees to pursue permitting reform as well.

As far as EPA jurisdiction goes, we see a role of the EPA, for example, as it relates to environmental impact, impact statements. There are different issues where there will be opportunities for the EPA to follow its obligations under the law. There is a possibility that Congress might choose to make changes to the law on items that are under EPA jurisdiction. I would look forward to doing my part to make sure the EPA is not holding up any opportunities to be able to pursue sound applications that otherwise would be and should be approved.

Senator CAPITO. I think a lot of times, in the public domain, permitting reform means to certain people skirting the rules or breezing through environmental reviews without really taking them seriously or actually having them science-based, as we have talked a lot about today. That is not what permitting reform means. Permitting reform means make these environmental, clean air, clean water rules and others in other agencies work together and work so that we are getting the right result of clean air, clean water, but we are able to move forward. I look forward to that.

Here is another West Virginia issue, very quickly. It is the Muddy Creek Restoration Project. It is 19 miles of waterways that has acid mine drainage. West Virginia went about coordination with the past Trump Administration and it was initially championed by the Administration to deliver real results in cleaning up this area of our State. It was a true win-win.

The Biden Administration, for some reason which we can not figure out, flip-flopped on this. They started putting more burdensome, costly, and much, much slower cleanup process. You are still having your acid mine drainage while we are getting hung up here. It threatens projects like Muddy Creek and discourages other communities from pursuing similar efforts to achieve real environmental remediation and benefits.

Will you commit to me, working with me and the State, to try to reverse these counterproductive changes and cut the red tape and restore this for more cost effective but also better environmental results?

Mr. ZELDIN. Yes, Chairman Capito, I know how much of a priority this is. You have been outspoken on this issue. It is my commitment to work with you as soon as, if confirmed, as soon as I am in that position, I would welcome that opportunity.

Senator CAPITO. Thank you. Senator Whitehouse?

Senator WHITEHOUSE. Thank you again, Chairman.

Mr. Zeldin, I have something of a life experience Ph.D. in fossil fuel pressure politics. They will be coming after you hard. They will be feeling very entitled based on their political spending toward a Trump victory.

I have two questions, when you are faced with that. The first is the prominent voices in Trump world have been saying that it is important to traumatize EPA's work force, to drive them out. They have been saying that it is important to cut EPA's work force by two-thirds or more, not just Washington, but the field, the entire organization. They have been saying that it is important to destroy the professional civil service protections of EPA's work force.

How do you respond to those three threats?

Mr. ZELDIN. Senator Whitehouse, as I have stated earlier, my desire if confirmed as EPA Administrator is to increase productivity of the EPA. I want to be able to help lead this agency in a way that all of you on both sides of the aisle can be proud of, for us to be accountable and transparent. I want maximum collaboration, not just with Congress, but internally within the EPA. I have been hugely impressed with the level of talent stepping up to serve at EPA. That is the pressure that I am feeling at this moment, is to bring out the best of EPA to make sure that we are fulfilling our mission of protecting public health and the environment.

Senator WHITEHOUSE. You will not support executing on those three threats?

Mr. ZELDIN. My commitment to you is exactly as I stated, Senator Whitehouse. I am not coming into this position with any threat. My position as I sit here is a promise is an obligation, it is a commitment to do my part, to do the best job possible in leading the EPA to fulfill its mission in a way that follows its obligation under the law and is one that this committee can be proud of.

Senator WHITEHOUSE. The second question that I have is, while you have made a lot of good and sound statements here today, it is one thing to say things in this environment and it is another thing to stand by those guns when the pressure comes at you. If you look at your past, if you look at your influence and advocacy work with American First Policy Institute and America First Works, the big donors have been pharma, the massive corporate lobby, Goldman Sachs, a Morgan Stanley fund, and a billionaire fracking CEO.

We do not know who the rest of the donors are, because AFPI keeps much of their donor list secret. We do know of those.

Your fellow board members at America First Works include the billionaire CEO fracker, the former CEO of the Texas Public Policy Foundation, which I view as a very significant player in the fossil fuel-funded climate denial armada, the successor to that Texas Public Policy Foundation CEO, and a third individual called the Chief of Intelligence and Research at that same, in my view, climate denial front group.

In your political work, you have taken nearly \$300,000 from the oil and gas industry, back to 2007. You have had large campaign support from Koch, Incorporated, which gave a total of about \$60,000 when you count up all the contributions between PACs and campaign funds. David Koch himself maxed out to you. Koch PAC gave \$20,000 to your Lee PAC.

In the wake of being so surrounded with so much corporate and fossil fuel influence, I want to give you two opportunities. One is to answer to me now how is it that you will be able to separate yourself from the influence of these people and these interests when they come demanding things that they think they have earned politically. I will also turn that into a QFR so that you can, with a little bit more basis for reflection, make a more complete answer.

With that, over to you for your response, sir.

Mr. ZELDIN. Senator, I do not need any extra time for reflection on that one. There is no person who has ever provided any level of support to me or anyone else who has any special influence with me. When I was in the Army I wore around my dog tags the seven Army values. The acronym is LEADERSHIP: loyalty, duty, respect, selfless service, honor, integrity and personal courage. It is important for me to have always been able to approach this position with a clear conscience, to make decisions that I can live with for my entire life. There is no dollar large or small that can influence the decisions that I make, who has access to me, and how I am ruling in my obligations under the law.

Senator, I am happy to enthusiastically answer that question on any day on the spot. I would never need any extra amount of time for reflection.

Senator WHITEHOUSE. Good luck standing up to these guys, because they are going to come at you.

Senator CAPITO. Thank you.

I understand that a 5-minute break would be in our best interests. Would you like to do that now, or do you want to keep going?

Mr. ZELDIN. I will take five. Thank you, Senator.

Senator CAPITO. We will come back in 5 minutes.

[Recess.]

Senator CAPITO. It was 12:37, it is now 12:42. We are good.

Next, we have Senator Sullivan.

Senator SULLIVAN. Thank you, Madam Chair.

Congressman Zeldin, you are doing a great job. Your opening statement was really good, I really appreciated it.

Look, there has been a lot of railing against the hydrocarbon industry. I think the facts are the hydrocarbon industry has lifted more people out of poverty, continues to do so, than any other major industry in the world is doing that. There also has been a major contributor who never gets talked about with regard to our leadership on global emissions. Leadership. Mr. Zeldin, take a look at that chart. That has been fact-checked to death because the far left hates it.

This is what Senator Ricketts was talking about earlier, about American innovation. This is what Senator Graham was talking about earlier. There are some people who are working hard on reducing emissions, countries. There are countries that are not. Senator Graham mentioned China and India. He is exactly right.

You never heard this from John Kerry, but the leader in the world in the last 20 years on reducing global emissions was the United States of America. The bad guys, in terms of emission increases, look at China. Through the roof. This is a fact.

Now, I have asked some of the Biden Administration EPA officials, why do you think this happened? Why do you think we are the leader? It would be great if you said it, because we are. They would always come back and say, let's see, EPA regs. Wrong answer.

The reason this happened is because of the revolution in the production of natural gas, where we have switched to natural gas as a more cleaner burning source of energy. When we export natural gas around the world, Mr. Zeldin, what do you think that does to global emissions?

Mr. ZELDIN. Brings it down, Senator.

Senator SULLIVAN. It does. These are facts.

My colleagues, I wish my good friend Senator Whitehouse was here, because you know, they do not like this chart, because it goes against their narrative. The narrative that is the facts is that when you have all the above energy, including a big mix of natural gas, you reduce global emissions.

Can you commit to Senator Ricketts' point to work with us and private industry on innovation that can help power America, power our allies, produce American energy and at the same time lower emissions.

Mr. ZELDIN. Yes, Senator absolutely. American innovation has been critical and it will be critical going into the future. That is something that President Trump has often spoke of. I believe it is one of the reasons why we saw so much support for him in last November's election.

Senator SULLIVAN. In Alaska we work on, and I talked to President Trump about it just recently, we have a very large scale LNG project that would increase, would reduce our trade deficit by billions by exporting clean burning Alaska natural gas to our Asian allies, get clean burning Alaska gas to Americans and would produce thousands of American jobs. Can I get your commitment to help us work on that large scale LNG project, which will help continue these global emissions reductions?

Mr. ZELDIN. Senator, I would welcome the opportunity, if confirmed, to be able to work with you on this and other issues.

Senator SULLIVAN. Great. I have another map I want to show you. Real quick, you and I have talked about this issue of leaded aviation fuel. This is a huge issue to my constituents, what we call avgas. We got an extension for Alaska in the FAA given our pilot safety issues, our aviation safety issues. There was this Congressman, I forget his name, from New Jersey, he tried to limit this. In my view, he should be more focused on cleaning up New Jersey than worrying about aviation safety in Alaska.

Can I get your commitment to work with me on this avgas issue, as we discussed in my office?

Mr. ZELDIN. Senator, as I gave you my commitment then; I will reiterate it here today for all your constituents to hear. We had a very long, substantive conversation on a lot of topics that you are fighting for Alaska, and I welcome the opportunity to be able to work with you on all of that.

Senator SULLIVAN. Great, thank you.

Let me give you one final map and one final question. It is a little complicated. This is the American Medical Association study on life expectancy changes in America. This is from 1980 to 2014. Purple and dark blue, that is where life expectancy changes happened the most, up to 13 years. Unfortunately, you see yellow, red certain places, there was a life expectancy decrease. That is mostly the opioid epidemic.

My State led this. It led it because Alaska Natives, which is where most of these communities are, about 20 percent of my population, started at a real low level. Real low. Lowest life expectancy. Then what happened, on the North Slope, what happened out in the Aleutian Island chain, what happened in the Northwest Arctic Borough, resource development happened. Oil and gas happened. Opened up fisheries happened. Resource development happened, and people's lives increased on average by up to 13 years.

Here is my quick issue. This is a matter of life and death in my State. The indigenous people in particular who I care deeply about have benefited tremendously from resource development.

President Biden comes in with his Secretary of Interior. She does not listen to Native people. They issued 68 executive orders to shut down resource development in my State, which is going to hurt people, hurt their life expectancy. When we talk about all this stuff, about oh, we are against resource development, oil and gas,

for my State, for my constituents, this is a matter of life and death. It has brought gymnasiums and health clinics and water and sewer.

Can I get your commitment to work with me on these issues, on resource development, that benefit the Native people tremendously in my State? The Biden Administration is talking about, oh, environmental justice, this is environmental injustice, when they shut down Alaska Native communities' opportunity to develop their resources. Their focus on minority communities, I think that is great but they have had a big asterisk during 4 years of Biden and Secretary Haaland, not for Alaska Natives. It is an outrage.

This helps my communities, and can I get your commitment to work with the Alaska Native communities, indigenous communities in my State on this issue, on the other issue we talked about, contaminated lands? Water and sewer, we have communities that do not have clean water and flush toilets. I really want your help on this. We didn't get the help from the Biden Administration. They talked a big game, communities of color. They didn't care about the Alaska Native communities. I need your help on this.

Mr. ZELDIN. Understood, Senator. You have my commitment to work with you on this.

Senator SULLIVAN. Thank you. Thank you, Madam Chair.

Senator CAPITO. Thank you.

Senator Kelly?

Senator KELLY. Thank you, Madam Chair.

Mr. Zeldin, I want to discuss another issue with you that has affected the western United States significantly, especially Arizona on the Navajo Nation, and that is the issue of abandoned uranium mines, about 500 of them. The Nation has been working to clean up these mines for decades now, but the bureaucratic process of the Superfund law has meant that very little progress has been made on this, and it contaminates water and just the radiation itself causes cancer.

One step which was taken during the last Trump Administration was to establish a regional office called the Office of Mountains, Deserts and Plains which would focus on cutting through the bureaucracy and accelerating the cleanup of mines in the west. Senator Lummis and I introduced legislation last Congress which passed this committee unanimously called the Legacy Mine Cleanup Act, which would authorize the creation of the office and accelerate mine cleanup across the western United States.

Will you commit to having your team review the legislation quickly, so we can then incorporate EPA's feedback before we introduce the bill this year?

Mr. ZELDIN. Yes, Senator.

Senator KELLY. Will you commit to ensuring the issue of abandoned uranium mines remains a priority for the EPA?

Mr. ZELDIN. Yes, Senator.

Senator KELLY. Thank you for that. Then one final thing I want to discuss with you is, and I know you have spoken about this during the hearing already today. I was not in the room, but my understanding is you talked about PFAS. As we discussed in my office last week, groundwater is the backup source of drinking water for

both Phoenix and Tucson, and it is in an aquifer mostly under the city of Tucson where Gabby and I live.

This has become more critical, this backup water supply, as the drought conditions in the west have worsened. Especially the groundwater under Tucson and those aquifers have been contaminated with growing PFAS plumes. The city had to shut down nearly 30 groundwater wells because the water exceeded EPA's drinking water limits. To date, the city has spent more than \$71 million on remediation costs, and are in negotiations with EPA Region 9, with the Air Force, with the State, Tucson Airport, and other private parties, to resolve this. Throughout this process, and spanning across Presidential administrations, EPA Region 9 has been a consistent partner in addressing these challenging issues.

Mr. Zeldin, if confirmed, will you commit to working with my team in the city of Tucson to address the Tucson PFAS contamination?

Mr. ZELDIN. Yes, Senator.

Senator KELLY. Thank you, Mr. Zeldin. Thank you for spending the time. I know this has been a long process and a long hearing. It is great seeing your family here. I look forward to having the opportunity in the committee and eventually on the floor for the vote. Thank you.

Mr. ZELDIN. Thank you, Senator.

Senator CAPITO. Thank you. Senator Ricketts?

Senator RICKETTS. Thank you, Senator Capito, for having this second round of questions. I appreciate it.

Congressman Zeldin, presuming that you get confirmed to be the EPA Administrator, you are going to have to work to reestablish their credibility, reestablish the trust for the EPA. That is going to involve a process of transparency and good faith action on the EPA's part.

Part of what I expect you to bring back is accountability. President Biden's EPA had a \$41.5 billion program to carry out EV mandates and environmental justice. How many additional dollars went to the Inspector General's office to conduct oversight over those IRA funds that went out?

Mr. ZELDIN. Zero, none.

Senator RICKETTS. That is a problem when you are spending that kind of dollars. Can we have your commitment that you will look into this to make sure those dollars were spent appropriately, that the process was followed properly for all those dollars, to make sure that any dollars that were not spent appropriately. In fact, Senator Capito and I actually did a press conference on how some of these dollars were being distributed. If they weren't being distributed you will work to claw back those taxpayer dollars?

Mr. ZELDIN. Yes, Senator.

Senator RICKETTS. Great, thank you.

We talked a little bit earlier also about the EV mandate, part of what these IRA dollars were supposed to be pushing is this EV mandate. Of the 147 communities in my State that are classified as cities, 99 of them do not have a single EV charger. If you are living in communities like Bloomfield, Alliance, Valentine, you are 45 minutes from the nearest charging station. In my State, EV adoption is like 2 percent when nationally it is about 7 percent.

Of course the current mandate that EPA is pursuing with their emission standards was to have two-thirds of all new vehicles being sold as EVs in the year 2032. That is just clearly not realistic, and again, as we discussed, we should allow American innovation to be able to help us reduce the impact on the environment, not have an administration pick one solution that they want to push.

Do you commit to rolling back these out of touch mandates that are costly to Americans and dangerous to our energy grid, increase our reliance on our adversaries like the Peoples Republic of China?

Mr. ZELDIN. Senator, it is my obligation if confirmed to be following my obligations under the law. With regard to the Administrative Procedures Act, rules, laws, as set out, they guide the way I answer that question. I am not allowed to prejudge outcomes going into rulemaking to ensure that there is durability of any decision to be made at the end of the process, where my answer to that question could potentially be used against any type of a rule or regulation that is made.

I will tell you that I have heard concerns from you and many others in this chamber on how important it is to look at rules that are currently on the books. I do not want to sit before you with any type of announcement that I am able to make of any rules that are going to change upon confirmation. I will tell you that I will not prejudge outcomes.

However, it is my commitment to follow my obligations under the law as set by Congress to look at laws, decisions that have been made by the U.S. Supreme Court and to make sure that we are pursuing common sense, pragmatic solutions that make sense to you, that you can defend when going back to the constituents that you fight so hard for from your home State. I look forward to the opportunity of being able to make you proud and being able to make this entire committee, the Chairman, proud and hitting the ground running to do my part so that the EPA is being accountable to you as a Senator and accountable to your constituents as taxpayers and as Americans.

Senator RICKETTS. Great, well, thank you, Congressman Zeldin.

One of the things we also talked about was certainty. We talked about it in the context of the RVOs. There is another area of certainty that we have talked about and we need to continue to talk about. The Supreme Court's Sackett v. EPA decision was a clear directive to narrow the scope of the Federal jurisdiction of the Clean Waters Act.

Here is just one of the things that just drives me nuts, because this has not just been a Biden Administration, it has happened in the Obama administration. The Clean Water Act, over 50 times, says navigable waters. Navigable waters means you can put a boat on it and go someplace. That is the Merriam Webster definition in really broad terms. Clearly out of scope of what the Congress' intent was.

The decision in Sackett was intended to provide clarity to producers. President Biden's WOTUS revisions have only confused it by talking about things like relatively permanent waters or unclear determinations on which waters are actually jurisdictional under law. Farmers and ranchers in Nebraska deserve better than an

EPA taking years to decide the best way to regulate a ditch that might someday hold water.

Do you plan on providing clear and durable Waters of the U.S. guidance to producers as Administrator?

Mr. ZELDIN. Senator, I believe that it is incredibly important for the EPA to provide clear and durable guidance as it relates to Waters of the U.S. The Sackett decision is easy to understand for any of those property owners in your State, yet still they have questions as it relates to the rules and regulations that on the books. It should be as clear as possible so that your people can understand without having to go hire an attorney or someone else to assist them with compliance and definitions.

Senator RICKETTS. Great. Well, again I would just remind you that the Clear Water Act says navigable waters. It is a pretty plain English definition. Congress' intent could not have been more clear. I would just remind you as you are going through that process to keep that in mind. Thank you very much, Congressman Zeldin and Madam Chairman.

Senator CAPITO. Senator Markey?

Senator MARKEY. Thank you, Madam Chair, and again, congratulations on your new position.

Senator CAPITO. Thank you.

Senator MARKEY. Respectfully, to my friend from Nebraska, there is no EV mandate. Doesn't exist. There is no EV mandate. It is not a mandate, it is a clean car standard, which is technology neutral, driven by American innovation and the need to protect our environment. There is no mandate. I have to keep repeating that, every time.

Again, Congressman, Project 2025 proposes to eliminate the Office of Enforcement and Compliance Assurance at the EPA. Do you agree with that proposal?

Mr. ZELDIN. Senator, first off, I have never read any word of Project 2025.

Senator MARKEY. I am not going to ask if you have read it. Do you agree with the proposal to eliminate the Office of Enforcement and Compliance Assurance at the EPA?

Mr. ZELDIN. While that is something that I had never thought of before your asking that question, no. It is an important function of the EPA. We have had good extended conversations here about that topic during today's hearing, Senator.

Senator MARKEY. Again, that just prompted the question, and the answer is a very good answer. Thank you. On the EPA Clean Car Rule, it is projected to cut air pollution and prevent about 2,500 premature deaths in a single year. Over the life of it, it would obviously be tens of thousands of lives which are saved. It would save drivers \$46 billion in fuel costs, 15 billion barrels of oil that would not have to be used, and \$6,000 over the life of the new vehicle.

If confirmed, are you planning to initiate a new rulemaking that could undermine those clean car standards?

Mr. ZELDIN. Senator, if confirmed, I cannot sit before you and announce the initiation of any new rules. I have no announcements to make of rules that are going to change and I plan on following my obligations under the law to ensure that throughout my tenure,

if confirmed as EPA Administrator, that I never prejudge outcomes heading into that process.

Senator MARKEY. Okay, again, the savings are quite profound for American consumers, dollars in their pockets, because of those much higher standards that do not require oil to be put into gasoline tanks, where we put about 70 percent of all the oil that we consume.

In September, RFK, Jr., the Health and Human Services nominee, went on the Dr. Phil show and he said, "It is glyphosate, which is the active ingredient in RoundUp, it is the pesticides, it is atrazine, it is PFOAS, the forever chemicals, we are mass poisoning an entire generation of kids." Do you agree with that conclusion buy RFK, Jr. that these pesticides are mass poisoning the kids in our Country?

Mr. ZELDIN. Senator, I would welcome an opportunity to be able to read through all the science and research that is being cited to support that conclusion to be able to answer that question, following the review of that material. That is a review that I would need to engage in.

Senator MARKEY. It is obviously a very serious question, and it is one that hopefully would have the EPA working with HHS on a resolution of that issue.

In the two and a half years since its passage, the Inflation Reduction Act has spurred the creation of 400,000 jobs and \$420 billion in investment, and \$193 million of direct Federal spending actually has gone to your former congressional district since 2022. Regardless of your stance on the bill back then, it did become law, and more than \$68 billion has already been appropriated by the EPA from the IRA, and the Bipartisan Infrastructure Law.

Are you going to ensure that EPA's ongoing implementation of grants, which have already been fairly awarded under existing laws like the IRA and the Bipartisan Infrastructure Law, that they are not impeded or held up for political reasons?

Mr. ZELDIN. Senator, my commitment is to follow the law. As it relates to so much of what is being discussed during this hearing, that is the obligation that motivates me. I have to be prepared to sit before this committee and be able to answer questions insofar as it relates to funds that have gone out the door not just currently but also in the future. It is important for me to get my hands and my head all wrapped around everything that has been going out the door.

Senator, I was concerned when there was a video a few weeks ago of a political appointee at the EPA who was talking about how they were tossing gold bars off the Titanic to distribute billions of dollars before Inauguration Day on Monday. I do not know at all what grants were being referenced with that repeated comment. It was also referenced in that video that they were tossing these gold bars off the Titanic with an eye toward getting themselves jobs from recipient NGO's. I do not know what any of that is about, but that is concerning to me. I want to be able to answer to you and to answer to every member of this committee that I am being a good steward of the tax dollars.

Senator MARKEY. I just want to remind you that 80 percent of all those grants have gone to Republican districts. That is, I think,

something that you should keep in mind in terms of, I would say, the impartiality of what those decisions have been at the EPA. That is not just some ideological set of decisions, if 80 percent of the money is going to red States.

I guess all I would say is, I heard what you are saying, but I just hope you would resist the temptation to hold a witch hunt and to break out the torches and the pitchforks to go after all these programs. I think they must have been pretty fairly given out if a blue Presidency at the EPA left 80 percent of the money toward red districts. I just want a presumption of innocence from you in terms of the decisions that were made.

Mr. ZELDIN. Right, yes, Senator, I just want to be able to account.

Senator MARKEY. I appreciate that. I just need your—

Mr. ZELDIN. Yes, Senator.

Senator MARKEY [continuing]. assurance that you do assume that most of this was done fairly.

Mr. ZELDIN. Senator, I would only assume, I can only assume as I sit here that upon review that there will be, I will find out about all sorts of funding that went out the door that was following the law as written by Congress. All I am saying is that I want to have the ability to sit before Chairman Capito who has been very vocal on this issue and be able to answer her question on a specific grant that she has spoken out about, or grants that committee members may speak about in the future. I just want to be in a position to account to all of you as far as the dollars being spent by EPA.

I can only assume that there will be funding that will be, from that review, that will be in accordance with the law.

Senator CAPITO. I am going to go to Senator Schiff. Thanks.

Senator SCHIFF. Thank you, Madam Chair.

Mr. Zeldin, although California banned the installation of lead pipes in 1985, the average home in South Los Angeles is over 70 years old and more likely to contain corroded lead plumbing than other regions in the State. Lead in drinking water particularly from old pipes and plumbing systems is a significant public health threat, especially for children.

Out of the 58 counties in the State of California, Fresno County has one of the largest numbers of children with high levels of lead in their blood. In 2016, nearly 14 percent of children tested in one Fresno neighborhood had a reported high lead levels, 25 percent of schools in Fresno reported finding lead coming from their drinking water fountains. Forty homes had lead levels above the Federal limit.

In October, the EPA announced new final regulations requiring drinking water systems across the Country to identify and replace all lead pipes within 10 years. Will you continue the EPA's work to help local communities like those in Fresno and in South Los Angeles replace lead pipes, particularly in many of these communities that are historically underserved?

Mr. ZELDIN. I will look forward to that opportunity to work with you, Senator, on this issue.

Senator SCHIFF. The EPA administers 12 geographic programs, longstanding geographic specific programs that help protect local ecosystems and communities from climate change, habitat loss, and

pollution. There are efforts to add the Salton Sea in California, which is an ecological disaster, potentially paired with the Great Salt Lake, which has similar ecological and health issues, as part of EPA's geographic program designation. If successful, that would mean revenues that could be used to mitigate that environmental hazard in a very neglected part of the State.

Will you pledge to consider adding the Salton Sea to one of these geographic programs?

Mr. ZELDIN. Yes, Senator. I know from our conversation yesterday just how important this is to you. I look forward to getting more familiar about this issue, and that certainly can be my commitment as I sit here today. If confirmed, I would welcome that opportunity to work with you on this issue and see what I can do to assist.

Senator SCHIFF. Thank you.

Let me address a third critical issue affecting the health and well-being of millions of Californians, and that is air quality, not only in the aftermath of the ongoing wildfires, but also in the breadbasket of America. Unfortunately, we have some of the worst air quality in the Nation, failing to meet Federal health standards for both ozone and particulate pollution.

This pollution directly impacts our families, our children, our communities. Last summer, residents of Fresno had just 10 days of healthy air, a stark reminder of the urgency of the situation. EPA has long supported California's efforts to address this crisis through clean vehicle programs, regulatory actions and strong enforcement. We have to continue this vital work, pushing for policies that protect public health and create a cleaner, healthier future for the San Joaquin Valley and all of California.

Do you support investments like the ones that the EPA has made in the San Joaquin Valley to improve the quality of air there?

Mr. ZELDIN. Senator, to the maximum extent possible under the law that I, if confirmed as EPA Administrator, can assist on this and all the other issues that you referenced here today, I would welcome that opportunity to be able to work with you. As far as specific funding commitments, I need to make sure that I am following my obligations under the law as Congress sets out as to how funding should be appropriated, so that I can account to you afterwards.

Moving forward, if there is any funding now and in the future that EPA has an obligation to distribute to help with this, I welcome that opportunity. It is possible that I might need to defer to Congress to be able to give me access to funding for investments in the future, if that is part of what you are referring to. Regardless, you have my commitment to work with you on this.

Senator SCHIFF. I appreciate it. Finally, one of the things that I found most striking as I have traveled around the State in the last couple of years, I expected, coming from an L.A. district, to get a full indoctrination on water and the competition between the cities and the farms over water, and I did. What was more striking to me was just how many tens of thousands if not hundreds of thousands of people in places like the Central Valley can not drink their own water. Here I am not talking about lead, although lead is a problem there.

The flooding of dairy waste ponds into water wells, the depletion of the aquifers resulting in manganese, there are just thousands and thousands of people told, you can not drink your water, you can not bathe in your water. A lot of these communities do not have the resources to address it. I would, if confirmed, I would want to work with you to do everything we can to make sure that everyone in the State of California and indeed, the Country, has access to good, clean drinking water.

Mr. ZELDIN. Yes, Senator, this is extremely important. No American should feel like a story they might hear about, read about, of poverty in Iraq or Afghanistan, no American should feel like they are living in some third-world country or some war-torn country. Every American should be able to access clean water, potable water, and that is something that I look forward to doing my part, if confirmed, to be able to work with you and everyone on the committee to ensure that we are delivering as a Nation.

Senator SCHIFF. Thank you, Madam Chair.

Senator CAPITO. Thank you.

Well, I am going to ring this down to a close here. My office has received letters in support of Congressman Zeldin's nomination as EPA Administrator, with more continuing to arrive. The sources of these letters demonstrate the wide-ranging support of Congressman Zeldin's nomination. I would ask unanimous consent to enter these 30 letters into the record for all to see. Without objection, so ordered.

[The referenced information follows:]



January 10, 2025

The Honorable Shelley Moore Capito
Chairwoman, U.S. Senate Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, DC, 20510

The Honorable Sheldon Whitehouse
Ranking Member, U.S. Senate Committee on Environment & Public Works
456 Dirksen Senate Office Building
Washington, DC, 20510

Dear Chairwoman Capito and Ranking Member Whitehouse:

We write to you on behalf of the Alliance for Chemical Distribution (ACD) and the American Chemistry Council (ACC) to support the confirmation of Lee Zeldin as Administrator of the Environmental Protection Agency (EPA or "Agency"). Mr. Zeldin has a proven track record of success over his eight-year congressional career. Our organizations are confident that Mr. Zeldin will lead the Agency with integrity and further guide the EPA toward its mission of protecting human health and the environment while supporting growth and American innovation.

ACD supports and champions the chemical distribution experts the world depends on to safely, reliably, responsibly, and sustainably move the chemical products essential to our daily lives. ACD's more than 400 chemical distribution industry members are primarily small, multi-generational family-owned businesses. The ACC represents more than 190 companies engaged in the business of chemistry. It represents the people and companies creating the groundbreaking products that are improving the world all around us by making it healthier, safer, more sustainable and more productive.

The chemical industry is already one of the most highly regulated sectors, and our organizations are supportive of commonsense regulations based on sound science. It is critical that the incoming EPA Administrator is focused on delivering regulatory solutions that support American businesses and workers and the environment while also promoting innovation and supporting American competitiveness.

In his time in Congress, Mr. Zeldin was a thoughtful leader who understood you can protect the environment and human health without imposing unreasonable and unnecessary regulations that hurt businesses and workers.

ACD and ACC believe that if made EPA Administrator, Mr. Zeldin would effectively lead the EPA to protect the environment while scrutinizing existing regulations to ensure they are effective. Our organizations strongly recommend that he be confirmed as EPA Administrator.

If you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,



Eric R. Byer
President and CEO
Alliance for Chemical Distribution



Chris Jahn
President and CEO
American Chemistry Council



January 10, 2025

The Honorable Shelley Moore Capito
Chairman
Committee on Environment & Public Works
U.S. Senate
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment & Public Works
U.S. Senate
Washington, D.C. 20510

Dear Chairman Capito and Ranking Member Whitehouse:

On behalf of the American Council of Engineering Companies (ACEC), the business association of the nation's engineering industry, I am pleased to offer our strong support for the nomination of Lee Zeldin to serve as Administrator of the U.S. Environmental Protection Agency (EPA).

In nominating former Congressman Zeldin to head the EPA, President-Elect Trump has chosen an experienced leader with a proven track record of legislative accomplishments. Mr. Zeldin understands the importance of balancing responsible environmental protections with economic growth and is an excellent fit to lead the agency.

Over the next four years, the EPA will play a critical role on issues that are important to the engineering industry. These include policies to address PFAS and other emerging contaminants in drinking water and wastewater, continued federal investment in resilient water infrastructure through the State Revolving Loan Funds, improving the use of technology to facilitate more efficient permitting, and ensuring the appropriate balance between state and federal regulation of wetlands under the Clean Water Act. Our industry stands ready to work with your committee and the incoming administration on these and other environmental issues.

We are confident that Mr. Zeldin is well-qualified to serve as the next Administrator of the EPA and urge the Senate to quickly confirm his nomination.

Sincerely,

A handwritten signature in black ink, which appears to read "Linda Bauer Darr". The signature is fluid and cursive.

Linda Bauer Darr
President and CEO



January 10, 2025

Hon. Shelley Moore Capito
Chair
Committee on Environment & Public Works
U.S. Senate
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member Committee on Environment & Public Works
U.S. Senate
Washington, D.C. 20510

Dear Chair Capito and Ranking Member Whitehouse:

I write to you in my capacity as President/CEO of the American Council of Engineering Companies of New York to offer our support for the nomination of Lee Zeldin to serve as the Administrator of the U.S. Environmental Protection Agency (EPA).

ACEC New York is a proactive coalition representing nearly 300 member firms who engage in every discipline of engineering related to the built environment including civil, structural, mechanical, electrical, environmental, and geotechnical. We are a diverse group of consulting engineering firms from across New York State, ranging from sole proprietors to multinational corporations that collectively employ over 33,000 New Yorkers and nearly ten times that number worldwide.

In nominating Mr. Zeldin to lead the EPA, President-elect Trump has selected an experienced leader from New York State. During his service in Congress, Mr. Zeldin worked across the aisle to address our state's environmental challenges in a responsible way. He was instrumental in enacting legislation to restore the water quality of the Long Island Sound and supported legislation to address PFAS in his Congressional district and around the country. Mr. Zeldin has the background and proven leadership qualities required to administer this important agency.

In the years ahead, the EPA will play a critical role on issues that are important to the engineering industry in both New York State and the nation overall. PFAS, safe drinking water, federal investment in water infrastructure, technology advancements, and systems to facilitate more efficient permitting, among other issues, face our great nation. Mr. Zeldin has the ability to address such issues.

We are confident that Mr. Zeldin is well-qualified to serve as the Administrator of the EPA and urge the Senate to quickly confirm his nomination.



Sincerely,

A handwritten signature in black ink that reads "John T. Evers". The signature is written in a cursive, flowing style.

John T. Evers, PhD
President/CEO



Office of the President

January 2, 2025

The Honorable Shelley Moore Capito, Chairwoman
The Honorable Sheldon Whitehouse, Ranking Member
U.S. Senate Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairwoman Capito and Ranking Member Whitehouse:

On behalf of the American Forest & Paper Association (AF&PA), I am writing in support of President Trump's nomination of Lee Zeldin to serve as the Administrator for the U.S. Environmental Protection Agency.

AF&PA serves to advance U.S. paper and wood products manufacturers through fact-based public policy and marketplace advocacy. The forest products industry accounts for approximately 5% of the total U.S. manufacturing GDP, manufactures about \$350 billion in essential products annually and employs about 925,000 people. The industry meets a payroll of about \$65 billion annually and over 75 percent of our facilities are located in counties that are over 80 percent rural. The forest products industry is circular by nature. AF&PA member companies make essential products from renewable and recyclable resources, generate renewable bioenergy and are committed to continuous improvement through the industry's sustainability initiative — [Better Practices, Better Planet 2030: Sustainable Products for a Sustainable Future](#).

The U.S. manufacturing sector has been a fundamental driver of American success, but our nation faces growing challenges in a highly competitive global economy. The cost, complexity and volume of regulations is greater than ever. As a result of our cumbersome air and water permitting processes, manufacturers that want to expand and create jobs with cleaner, more efficient technology are often stymied.

At the same time, we recognize that reasonable, evidence-based regulations can provide important benefits, such as the protection of the environment, health, and safety for our country, communities and employees. Unfortunately, poorly designed regulations that fail to balance costs and benefits and disregard the best available science unintentionally can cause more harm than good, waste limited resources, undermine sustainable development, and erode public confidence in government.

The U.S. Supreme Court recently made clear that regulators must follow the best reading of statutes; they must only act within the boundaries of their statutory authority, and

consider all relevant factors, including balancing costs and benefits. Accordingly, it is essential that regulations be designed to provide net benefits to the public based on best available scientific and technical information through a transparent and accountable rulemaking process, with due consideration of the cumulative regulatory burden. We think Mr. Zeldin is well positioned to ensure these regulatory principles are implemented.

We believe Mr. Zeldin is eminently qualified for this important role and will execute President Trump's regulatory agenda in a thoughtful, impactful manner. Our industry was able to work with Mr. Zeldin during his time in Congress and we believe he is a pragmatic individual who will be able to enact reasonable, evidence-based regulations that provide those important benefits we described above including protecting the environment without unintentionally causing more harm than good to U.S. manufacturers.

Based on our knowledge of Mr. Zeldin and our experience working with him over the years, we believe his expertise, experience and professionalism make him an excellent candidate for this important position.

Kind Regards,



Heidi Brock
President and Chief Executive Officer

The Honorable Shelley Moore Capito
Chair, Committee on Environment and Public Works
United States Senate
170 Russell Senate Office Building
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member, Committee on Environment and Public Works
United States Senate
530 Hart Senate Office Building
Washington, DC 20510

Dear Chairwoman Capito and Ranking Member Whitehouse,

The undersigned appreciate the opportunity to express our support for Lee Zeldin's environmental record, and we ask that the Senate swiftly and promptly confirm him as Administrator to the Environmental Protection Agency (EPA).

Lee Zeldin's leadership at the EPA comes at a critical moment, one when America needs practical, faster-acting, market-based solutions to address its environmental challenges while supporting economic growth. Zeldin's record and approach suggest he is uniquely equipped to deliver on this mission.

Zeldin's nomination signals an important shift in the EPA's trajectory, moving away from inefficiencies and regulatory overreach toward a results-driven, pro-business, and pragmatic approach. As a former New York Congressman, Zeldin has demonstrated an ability to champion policies that balance environmental stewardship with economic vitality. His leadership style and legislative achievements suggest that, under his guidance, the EPA will prioritize immediate, tangible concerns—such as clean water, marine debris, and harmful chemicals—while fostering innovation and collaboration across sectors. As a member of the Coastal Communities Caucus, Zeldin worked on conservation and resiliency measures that address real-world environmental challenges. He was instrumental in advancing the Great American Outdoors Act, securing permanent funding for the Land and Water Conservation Fund and addressing critical repairs across national parks. These achievements highlight his belief that innovation, not overregulation, is the key to tackling environmental issues.

The EPA under Zeldin has the potential to embrace policies that act swiftly and effectively without sacrificing economic growth. The first Trump Administration's goal to achieve a 50% recycling rate by 2030 is an example of how federal policy can advance environmental goals while working collaboratively with businesses and local governments. Zeldin also understands the importance of collaboration in achieving bipartisan environmental progress. His votes on landmark legislation, such as the Save Our Seas Act 2.0, which combats marine debris, demonstrate his ability to build coalitions around shared goals. This approach will be vital in addressing immediate concerns like improving water quality, mitigating pollution, and enhancing disaster resilience.

The true path to a stronger environment lies in preserving and cleaning up our natural landscapes and waterways while advancing American energy and manufacturing leadership. Zeldin's pro-business approach recognizes that these industries already operate under some of the highest environmental standards in the world. By fostering innovation and reducing unnecessary regulatory burdens, he can ensure that America's economy thrives while achieving significant environmental progress.

Zeldin's tenure represents an opportunity to realign the EPA with its core mission: protecting public health and the environment, all while respecting economic realities. His proven track record and forward-thinking approach give us hope that his leadership will bring the EPA back on track to address immediate, pressing concerns. Lee Zeldin will prioritize faster-acting, market-based solutions that address the urgent environmental needs of today without compromising the prosperity of tomorrow. We are excited to work with him and his team throughout his tenure as EPA Administrator in the incoming Administration.

Sincerely,

Lisa Nelson, Chief Executive Officer (CEO), ALEC Action
Robert Budway, President, Can Manufacturers Institute (CMI)
Maia Corbitt, President, Texans for Clean Water (TFCW)



Mike Sommers
President and CEO
API
202-682-8500
sommersm@api.org

January 29, 2025

The Honorable Shelley Moore Capito
Chair
Senate Committee on Environment and Public Works
401 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
Senate Committee on Environment and Public Works
401 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Capito and Ranking Member Whitehouse:

API supports the confirmation of Lee Zeldin as Administrator of the Environmental Protection Agency. The EPA plays an integral role in ensuring Americans benefit from clear air, land, and water. We are confident in Mr. Zeldin's leadership to protect human health and our environment through sensible policies while also supporting American innovation and economic growth.

As a Member of Congress, Mr. Zeldin has a record of promoting common sense environmental policies as well as the responsible use of natural resources. The American Petroleum Institute (API) urges the confirmation of Mr. Zeldin to head EPA because he understands that we can have both – environmental protections and utilizing natural resources to power the American economy.

API represents all segments of America's oil and natural gas industry. Its nearly 600 members produce, process and distribute most of the nation's energy. The industry supports millions of U.S. jobs and is backed by a growing grassroots movement of millions of Americans. API was formed in 1919 as a standards-setting organization. In our first 100 years, API has developed more than 700 standards to enhance operational and environmental safety, efficiency and sustainability.

We congratulate Lee Zeldin on his appointment and look forward to working together once confirmed.

All the best,

A handwritten signature in blue ink, appearing to read 'Mike Sommers', is written below the text.



Christine H. Heck
VP, Chief Legislative and External Affairs Officer
1 Water Street | Camden, NJ 08102
(m) 812.483.4434
christine.keck@amwater.com

January 15, 2025

The Honorable Shelley Moore Capito, Chairman
U.S. Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse, Ranking Member
U.S. Senate Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Capito and Ranking Member Whitehouse:

I write today on behalf of American Water to thank the Committee for expeditiously holding this nomination hearing to consider former Representative Lee Zeldin for the important role of Administrator of the Environmental Protection Agency. American Water is the largest regulated water and wastewater utility in the United States, serving customers in 14 states and 18 US military installations. With a history dating back to 1886, we proudly provide safe, clean, reliable, and affordable drinking water and wastewater services to more than 14 million people.

Mr. Zeldin has demonstrated a commendable commitment to public service through his time in the U.S. Army and his tenure in the New York Legislature and the U.S. House of Representatives. During his eight years serving in Congress, Representative Zeldin demonstrated a commitment to working with stakeholders on all sides to collaborate on commonsense solutions.

Given Rep. Zeldin's understanding of the vital role safe, clean, and reliable water plays in public health, national security and economic prosperity, American Water is hopeful he will help to champion the investments necessary to strengthen the nation's water systems. We stand ready to partner with the incoming administration, bringing our industry leading expertise, innovation, and resources to strengthen and modernize America's water systems, protect national security, public health and ensure affordability for all.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Christine H. Keck".

Christine H. Keck

CHK:kac



January 23, 2025

The Honorable Shelly Moore Capito
Chairman
U.S. Senate Committee on
Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
U.S. Senate Committee on
Environment and Public Works
United States Senate
Washington, DC 20510

Dear Chairman Capito and Ranking Member Whitehouse:

The American Wood Council (AWC) supports Representative Lee Zeldin's nomination to be the next Administrator of the Environmental Protection Agency (EPA). We appreciate his thorough confirmation hearing and urge swift confirmation by the full Senate.

AWC is the leading voice for wood products manufacturing, an industry that provides over 450,000 men and women in the United States with family-wage jobs. AWC represents 87 percent of the structural wood products industry, and our members make products that are essential to everyday life, derived from a renewable resource that absorbs and sequesters carbon for many decades. Our staff experts develop state-of-the-art engineering data, technology, and standards for wood products to ensure their safe and efficient design, as well as provide information on wood design, green building, and environmental regulations.

According to the National Association of Manufacturers (NAM), our nation's manufacturers are shouldering enormous regulatory costs—nearly \$350 billion annually, or 12% of entire manufacturing sector's contribution to U.S. GDP. For smaller manufacturers, like many of our nation's family-owned sawmills, NAM estimates that these costs can exceed \$50,000 per employee each year.

AWC recognizes that reasonable, science-based regulations can provide important benefits such as clean air and water and the protection of both public health and worker safety. However, when agencies fail to balance the costs and benefits of proposed regulations, or worse, disregard the best available science, their decisions can unintentionally cause more harm than good. For the wood products industry, recent regulatory decisions like the significant lowering of the National Ambient Air Quality Standards for particulate matter (PM NAAQS), have encumbered the industry and hurt manufacturers' ability to expand their operations and adopt cleaner and more efficient technologies.

We believe that Representative Zeldin's leadership will help guide the EPA to accurately balance the environmental benefits with economic ones and empower American manufacturing to tackle critical issues like our housing crisis. Representative Zeldin has a proven track record of success over his eight-year congressional career. During that time, Representative Zeldin was a thoughtful leader, participating in the Bipartisan Climate

American Wood Council
601 Thirteenth Street NW, Suite 1000
Washington, DC 20005
O: 202 463 2766
awc.org



Solutions Caucus and advocating for policies which balanced environmental and economic goals.

The EPA has several pending issues which would have significant, direct impact on the forest products industry. As such, we call on the full Senate to confirm him as EPA Administrator. His confirmation will enable the Agency to rapidly address several pending regulations and provide American manufacturing the certainty and stability needed to thrive.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Morrill".

Jackson Morrill
President and CEO
American Wood Council

--

CC: The Honorable John Thune
The Honorable Chuck Schumer



Thomas L. Brown, President
 Todd Roberts, Senior Vice President
 Rick Andritsch, Vice President
 Ken Kubacki, Treasurer
 Jeffrey D. Shoaf, Chief Executive Officer
 James V. Christianson, Chief Operating Officer

January 14, 2025

Chairman Shelley Moore Capito
 Environment & Public Works Committee
 United States Senate
 Washington, D.C. 20510

Ranking Member Sheldon Whitehouse
 Environment & Public Works Committee
 United States Senate
 Washington, D.C. 20510

RE: AGC Support for Mr. Zeldin's Nomination to be Administrator of the U.S. Environmental Protection Agency

Dear Chairman Capito and Ranking Member Whitehouse:

The Associated General Contractors of America (AGC) supports the nomination of Mr. Lee Zeldin as administrator of the U.S. Environmental Protection Agency (EPA). AGC is a national construction trade association representing more than 28,000 construction firms with chapters and members in every state, the District of Columbia and Puerto Rico. AGC chapters and members understand the importance of protecting our environment while advancing economic development.

Mr. Zeldin has demonstrated leadership as a representative from New York in the U.S. Congress and civic responsibility and engagement in the U.S. Army. While his career did not focus solely on the environment, he promoted common sense approaches on the issues he did address, including the restoration of the Long Island Sound, climate, and EPA funding and reform. He has shown a willingness to reach across the aisle to build understanding in the state and in Washington, D.C. He also supported the Fixing America's Surface Transportation (FAST) Act of 2015, providing for critical infrastructure as well as much needed permit streamlining.

Importantly, Mr. Zeldin is committed to President-elect Trump's goals on regulatory reform. AGC has supported many reforms across the federal agencies to improve bureaucratic processes that are inefficient or duplicative without jeopardizing environmental stewardship.

AGC looks forward to working with Mr. Zeldin on the important issue of environmental permitting, regulatory reform, and stewardship in the construction industry and continuing our positive working relationship with the EPA. As such, we urge the Senate to quickly confirm his nomination.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey D. Shoaf'.

Jeffrey D. Shoaf
 Chief Executive Officer

CC: All members of the U.S. Senate Committee on the Environment and Public Works



Washington, DC Office
1300 I Street NW
Suite 820 West
Washington, DC 20005-3314
T: 202.996.9084

 aem.org
 aem@aem.org
 Toll free: 866.236.0442

January 14, 2024

The Honorable Shelley Moore Capito, Chair
Committee on Environment & Public Works
United States Senate
Washington, D.C. 20510

The Honorable Sheldon Whitehouse, Ranking Member
Committee on Environment & Public Works
United States Senate
Washington, D.C. 20510

Dear Chair Capito and Ranking Member Whitehouse:

The Association of Equipment Manufacturers supports the nomination of the Honorable Lee M. Zeldin to be Administrator of the Environmental Protection Agency (EPA).

The equipment manufacturing industry supports 2.3 million jobs and contributes \$316 billion to the U.S. GDP annually. The men and women who make the equipment that builds, powers, and feeds the world are not only welders and machinists, but they are also community members dedicated to advancing environmental stewardship. Our industry is deeply invested in promoting innovative solutions that protect our natural resources while driving economic growth and supporting a strong, sustainable future.

The Association of Equipment Manufacturers has long advocated for balanced and practical environmental policies that promote innovation, streamline regulatory processes, and ensure our industry can operate efficiently while protecting air, water, and land resources.

Mr. Zeldin's proven leadership, pragmatic approach to policymaking, and dedication to common-sense environmental solutions make him well-qualified to lead the Environmental Protection Agency. His focus on balancing environmental protections with economic growth will serve him well in promoting innovation, streamlining regulatory processes, and supporting industries that are vital to the nation's economy and sustainability efforts.

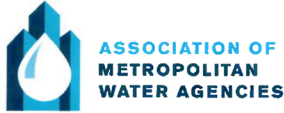
Thank you for scheduling the upcoming hearing on his nomination and for continuing the Committee's strong tradition of bipartisan, expeditious action on this critical position. We look forward to prompt action in advancing Mr. Zeldin's nomination.

Sincerely,

A handwritten signature in black ink that reads 'Megan Tanel'. The signature is written in a cursive, flowing style.

Megan Tanel
President
Association of Equipment Manufacturers

cc: Members of the Senate Committee on Environment & Public Works



LEADERS IN WATER

1820 I Street NW, Suite 500
Washington, DC 20006

P 202.505.1565
amwa.net

January 13, 2025

The Honorable Shelley Moore Capito
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Chairman Capito and Ranking Member Whitehouse,

The Association of Metropolitan Water Agencies (AMWA) is pleased to express its support for the nomination of Lee Zeldin to serve as Administrator of the Environmental Protection Agency.

AMWA is an organization of the nation’s largest publicly owned drinking water systems, whose members provide clean and safe drinking water to more than 160 million Americans from coast to coast. The association’s members are tasked with the responsibility of complying with EPA mandates and regulations, primarily through the Safe Drinking Water Act, so it is essential that the agency be led by an individual who demonstrates a commitment to properly implementing the law, and who understands the complexity of providing drinking water service. We believe that Mr. Zeldin possesses these qualities.

As a member of the House of Representatives from 2015 until 2023 Mr. Zeldin represented the First Congressional District of New York, which includes much of Suffolk County. In this capacity Mr. Zeldin fought tirelessly for the Suffolk County Water Authority, including by helping the water system obtain \$12 million in federal funding assistance to extend service connections to homes whose private water wells had been contaminated by PFAS. Mr. Zeldin’s efforts will improve public health protections for local residents and strengthen the water infrastructure of the community.

During his time in Congress Mr. Zeldin also took an active interest in issues affecting the water sector. He supported various legislative proposals to facilitate water infrastructure investment, require action to address PFAS, promote environmental conservation, and expand water resources protections, particularly in the Long Island Sound. This track record gives him an excellent foundation upon which to build a legacy as EPA’s next administrator.

BOARD OF DIRECTORS

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Jeffrey Szabo Suffolk County Water Authority	Calvin Fair Prince William Water	Lindsay Rechin Northern Kentucky Water District	Clara Browning Oklahoma City Water Utilities Trust	John P. Sullivan, Jr. Boston Water and Sewer Commission	Tom Dobbins
Julie Anderson Denver Water	Verna Amette Beaufort-Jasper Water & Sewer Authority	Cathy Bailey Greater Cincinnati Water Works	Tad Bohannon Central Arkansas Water	Jeff Brown Onondaga County Water Authority	Edward Campbell Portland Water Bureau
Shane Chapman Metropolitan Water District of Southern California	Alex Chen Seattle Public Utilities	Randy E. Hyman Philadelphia Water Department	Matthew Jalbert Trinity River Authority of Texas	Dave Johnson Las Vegas Valley Water District	Yann Le Gouellec Newport News Waterworks
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Holly Rosenthal Phoenix Water Services Department	Kenneth Waldroup Cape Fear Public Utility Authority				

The Honorable Shelley Moore Capito
The Honorable Sheldon Whitehouse
January 13, 2025
Page 2 of 2

The nation, EPA, and public water systems must work together over the next several years to face a range of challenges, from rebuilding aging infrastructure to addressing emerging contaminants to strengthening defenses against extreme weather threats. AMWA strongly believes that Lee Zeldin is the right person to lead EPA during this consequential time, and we look forward to working with him to promote policies that will ensure the United States continues to have the safest and most accessible drinking water in the world.

Thank you for the opportunity to share our thoughts on the nomination of Mr. Zeldin to be administrator of the Environmental Protection Agency. AMWA urges the Environment and Public Works Committee to favorably report his nomination to the full Senate.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Dobbins", written in a cursive style.

Tom Dobbins
Chief Executive Officer

DAIMLER TRUCK
North America

January 9, 2025

The Honorable Shelley Moore Capito
Chairwoman
Committee on Environment and Public Works
United States Senate
410 Dirksen Senate Office Building
Washington DC, 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and Public Works
United States Senate
410 Dirksen Senate Office Building
Washington DC, 20510

On behalf of Daimler Truck North America (DTNA), I am writing to express our strong support for the nomination of Lee Zeldin as Administrator of the Environmental Protection Agency (EPA).

DTNA is the largest commercial vehicle manufacturer in the United States, with over 40% market share in the heavy-duty on-highway segment. This market leadership means that fully 30% of America's goods are delivered using our products daily. Whether it's hauling freight, transporting people, or building and maintaining critical infrastructure, our truck and bus brands, including Freightliner, Western Star, Thomas Built Buses, Freightliner Custom Chassis, and Detroit Diesel, are trusted by the nation's fleets.

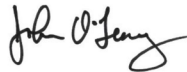
As the market leader, DTNA has a long history of working closely with the EPA to ensure heavy-duty regulations are achievable, economical, and technology neutral.

Throughout his career in public service, Mr. Zeldin has consistently shown the leadership and vision needed to address complex issues. His commitment to advancing sensible environmental policies and regulations makes him the right candidate to lead the EPA.

DTNA strongly encourages you to support Mr. Zeldin's nomination and we look forward to the positive impact he will bring to the EPA. We eagerly anticipate working with the Committee, President Trump, and the EPA to continue advancing balanced environmental policies.

Thank you for your consideration.

Sincerely,



John O'Leary
President and CEO

CC: Lee Zeldin, Nominee, Administrator of the Environmental Protection Agency



January 14, 2025

Chairman Shelley Moore Capito
170 Russell Senate Office Building
United State Senate
Washington DC 20510

Dear Chairman,

The Domestic Energy Producers' Alliance (DEPA) is proud to support the nomination of Lee Zeldin for Administrator of the Environmental Protection Agency (EPA).

We believe that Zeldin will carry out President elect Trump's energy and environmental agenda, which includes pulling back Biden-era rules on climate and air pollution and potentially rescinding millions of dollars in funding for clean energy under the Inflation Reduction Act. Additionally, the incoming administration is expected to take a more aggressive stance in challenging California's autonomy in enforcing environmental standards that are more stringent than those set by the federal government — many of which picked up as models for more than a dozen other states that has let to unnecessary and costly legal challenges.

Mr. Zeldin will ensure fair and swift deregulatory decisions that will be enacted in a way to unleash the power of American businesses, while at the same time maintaining the highest environmental standards. As Mr. Zeldin stated, "We will restore US energy dominance, revitalize our auto industry to bring back American jobs, and make the US the global leader of AI." "We will do so while protecting access to clean air and water."

As a candidate for New York state governor, Zeldin had a three-point energy plan calling on the state to allow fracking of natural gas, a practice it banned in 2014. He also called for approval of new pipeline construction and suspending the gas tax - All sound policies.

DEPA is a nationwide collaboration of 39 coalition associations – from California to West Virginia, Texas to Montana – representing individuals and companies engaged in domestic onshore oil and natural gas exploration and production. DEPA is a non-partisan association seeking common ground, and in common sense solutions to the challenges facing American oil and natural gas production through educating policymakers on the vital role of domestic oil and gas production in supporting the U.S. economy, energy independence, and global leadership.

We urge the Senate to confirm Lee Zeldin as EPA Administrator.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry R. Simmons", is written over a light blue horizontal line.

Jerry R. Simmons
CEO/President
Domestic Energy Producers' Alliance



Porterville, CA
South Charleston, WV
Rancho Cucamonga, CA
Vancouver, Canada

January 6, 2024

The Honorable Shelley Moore Capito
170 Russell Senate Office Building
Washington, DC 20510

Dear Madam Chairwoman:

Thank you for meeting with me and others from the school bus industry recently on the EPA Clean School Bus Program. GreenPower looks forward to working with you to make the necessary changes to the Program as we discussed. My staff is prepared to meet with your staff as soon as possible to develop a list of those changes and determine if any legislative action is needed or if the changes can be achieved administratively by the new EPA leadership.

As it relates to the new EPA leadership, let me express our gratitude for your scheduling of the confirmation hearing for Administrator-designate Lee Zeldin. GreenPower supports the confirmation of Mr. Zeldin to be EPA Administrator and would encourage the process of his nomination to proceed as quickly as possible. We believe that former Congressman Zeldin understands the need to roll back regulatory overreach, unleash American energy and allow Americans to build again – all while protecting public health and the environment. His skillset is well suited to implement the agenda of President-elect Trump, which will allow GreenPower to continue expanding its U.S.-based manufacturing and creating more good jobs at our West Virginia facility.

Please allow me to suggest that the confirmation hearing would be a place to begin the dialogue on a high-level with the Agency. A commitment from Mr. Zeldin to work with you on your suggested changes to the Program along with his commitment to implement those changes prior to making the next grant/rebate awards would achieve the target of improving and maintaining the Program in a fashion consistent with the new majority's policy goals.

Thank you for your continued leadership and for helping to further good public policy that is best for West Virginians and U.S. taxpayers in general.

Kindest Personal Regards,

A handwritten signature in blue ink, appearing to read "B. Riley", is written over a light blue horizontal line.

Brendan Riley
President



Independent Women Supports the Confirmation of Lee Zeldin as Administrator of the Environmental Protection Agency

January 15, 2025

Dear Senators,

Independent Women, which advances policies that enhance opportunity and well-being, fully supports the confirmation of Lee Zeldin to serve as Administrator of the Environmental Protection Agency. President Trump deserves the team he wants so that he can carry out the directive given to him by the American people.

There is no question that Mr. Zeldin is incredibly qualified to serve as Administrator of the Environmental Protection Agency.

Mr. Zeldin is committed to restoring U.S. energy dominance while protecting access to clean air and water. As EPA administrator, Mr. Zeldin will work to repeal the Biden administration regulations that made vehicles and energy more expensive for everyday Americans, without any environmental improvements. Americans want reasonable regulations that conserve our natural resources and protect the environment, but without a needlessly complex bureaucracy and system of red tape that hinders progress and innovation, rather than actual environmental concerns. Mr. Zeldin will be a champion of this kind of common sense while leading the EPA.

Independent Women is proud to support the nomination of such a qualified nominee to serve as Administrator of the Environmental Protection Agency. We urge senators to provide Lee Zeldin with a fair and respectful hearing and to confirm him as Administrator of the Environmental Protection Agency.

Respectfully,

A handwritten signature in black ink that reads 'HRH'.

Heather R. Higgins
CEO
Independent Women's Voice

A handwritten signature in black ink that reads 'Carrie Lukas'.

Carrie Lukas
Vice President
Independent Women's Voice



January 13, 2025

The Honorable Shelley Moore Capito
Chairman
Committee on Environment and
Public Works
U.S. Senate
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and
Public Works
U.S. Senate
Washington, DC 20510

Dear Chairman Moore Capito and Ranking Member Whitehouse,

On behalf of the Institute of Makers of Explosives (IME), I write in support of confirming Mr. Lee Zeldin to serve as the Administrator of the U.S. Environmental Protection Agency (EPA). Mr. Zeldin's experience in the New York State Senate and the U.S. House of Representatives makes him uniquely qualified to lead the EPA.

The commercial explosives industry, including manufacturers, distributors and users, is vital to the U.S. economy, contributing more than \$19 billion annually to the U.S. economy and creating 15,000 direct industry jobs and more than 60,000 total jobs.

Mr. Zeldin has a proven track record of taking a bipartisan and collaborative approach to environmental policy. If confirmed, we believe he will strike the right balance between ensuring environmental protection and supporting economic growth. We also believe his leadership will be integral in improving the permitting process to support the continued development of our nation's diverse, abundant and affordable energy supply critical to our nation's domestic and national security.

I strongly encourage the committee to approve Mr. Zeldin for the position of Administrator of the U.S. Environmental Protection Agency and favorably report his nomination to the full Senate for confirmation.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Clark Mica', written in a cursive style.

J. Clark Mica
President



January 16, 2025

**United States Senate Committee on
Environment and Public Works
United States Senate
410 Dirksen Senate Offc. Bldg.
Washington, DC 20510**

Dear Chairwoman Capito & Ranking Member Whitehouse,

The International Council of Shopping Centers (“ICSC”) appreciates the opportunity to communicate our priorities to the United States Senate Environment and Public Works Committee as it considers the nomination of the Honorable Lee Zeldin as Administrator of the U.S. Environmental Protection Agency.

ICSC is a nearly 50,000-member organization for industry advancement, promoting and elevating the marketplaces and spaces where people shop, dine, work, play and gather as foundational and vital ingredients of communities and economies. ICSC has members and projects in all 50 states and every Congressional District. Our list of policy priorities follows. We thank the incoming Administration for its focus on excessive, burdensome regulations created by the federal government and its willingness to examine what improvements can be made.

Hazardous Substances

ICSC acknowledges the potential risks related to the environmental and health effects of polyfluoroalkyl substances (PFAS) and the two most common being Perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). ICSC supports appropriate policy decisions about how to address PFOA and PFAS, two chemicals that are ubiquitous in American commerce. However, EPA’s proposal to designate them as “hazardous substances” under the *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) is not the right regulatory tool to address this important issue. The approach of directly regulating these substances under CERCLA, before they have been scientifically analyzed and considered for regulation under other federal environmental statutes, such as the *Safe Drinking Water Act* (SDWA) and *Resource Conservation and Recovery Act* (RCRA), is contradictory to EPA’s longstanding scientific and regulatory practice.

EPA’s prior decision short circuits the process that the agency has applied in every past hazardous substance designation. Such designation has traditionally been made once a chemical had been rigorously analyzed and listed under another environmental statute, such as the SDWA. This designation is also unnecessary from a practical standpoint as the EPA has existing authority to protect the public health and welfare and the environment from any potential risk posed by PFOA and PFAS without designating them as hazardous substances.

EPA’s decision to list PFOA and PFOS as hazardous substances has multiple negative, unintended consequences that unnecessarily impact communities and companies. Further, the approach is



inconsistent with EPA's goal of safely and efficiently addressing sources of PFAS in the environment that present risk. Listing PFAS and PFOA as hazardous substances could potentially bring millions of landowners under CERCLA authority and prompt the reopening of Superfund sites around the country. It will also now expose landowners to the threat of litigation related to the presence of these chemicals on sites for which these landowners had no responsibility. ICSC believes it could have an enormous detrimental effect on the redevelopment of sites, including past and future brownfields sites.

The strict, joint-and-several liability scheme created under CERCLA renders the statute unable to be properly tailored to effectively address the unique challenges of highly pervasive substances, such as PFAS and PFOA. EPA should address numerous issues prior to continuing this rulemaking, such as: what levels of cleanup are feasible; the impact of such a designation on the redevelopment of brownfields sites, particularly in environmental justice communities, and how waste generated from site cleanups would impact passive receivers, such as drinking water systems and property owners.

ICSC supports legislative action in Congress to ensure that sound science is applied, public health is protected, and that third-party liability is addressed holding innocent landowners harmless. At the same time, we support ensuring that the principle of the "polluter pays" be applied to PFAS and PFOA clean ups, meaning the producers who generated the product, not innocent landowners. Further, ICSC supports legislative and administrative actions to help expedite the return of CERCLA listed properties to useful commercial purposes.

Brownfield and Superfund Redevelopment

We encourage members of the Committee to work closely with EPA to reauthorize and strengthen the Brownfields Program which aims to return blighted land to productive reuse in meeting the varied civic needs of a community. The members of ICSC have successfully worked with local government entities through state voluntary cleanup programs across the country to revitalize long-idled and lightly contaminated properties and return that land to productive use in serving the needs of local communities. Our members have remediated these properties and enhanced local economic vitality through new retail, housing, and office and industrial space. These properties are often in severely underserved areas in cities and towns across America.

Local governmental organizations have enjoyed long-standing partnerships with ICSC members in these revitalization projects. Absent the grants authorized, many local communities will not have the resources necessary to pursue the steps needed to return these properties to beneficial reuse in accordance with environmental quality assurances for the people who will live, work and recreate on the restored sites. We are encouraged by the increased level of grants for direct remediation that will be made available under this legislation, and the added flexibility provided to grant recipients.

Multi-purpose grants enable local communities to use their discretion in applying grant funds to different sites. Often there are circumstances with a particular site that unexpectedly impede the characterization and remediation of that site. Giving local communities the flexibility to apply grant funds to other sites within their jurisdiction is a common sense and welcome policy.



We hope Congress and the Administration will continue to explore opportunities to expedite transition of sites from the CERCLA National Priorities List (NPL) and make additional sites eligible for assumption by state voluntary cleanup programs. We are persuaded that numerous sites continue to sit idle on the NPL that pose little or no threat to human health and the environment. Experience has shown since the inception of federal Brownfields legislation that transfer of sites to state voluntary cleanup programs expedite their remediation and return to beneficial reuse.

Waters of the United States (WOTUS)

Since its inception, the Clean Water Act (CWA) has helped commercial real estate developers and their tenants make significant strides in improving the quality of water resources while continuing to grow the economy. As environmental stewards, shopping center developers construct vital business districts and help create thriving communities while enhancing our natural resources. However, new WOTUS regulations were put into place by the Biden administration that profoundly harm the ability to grow economic development in communities and create jobs in the marketplaces industry. The new WOTUS rule creates a number of challenges to the process of developing new or redeveloping existing properties. ICSC members believe the rule will result in major project permitting delays, increased costs for new permit applications, decreased economic growth, and regulatory uncertainty and inconsistency in the administration of Corps permitting programs. EPA and the U.S. Army Corps of Engineers have stated one of the primary purposes of the rule is to provide clarity and certainty to the regulators, but ICSC believes the rule will perversely result in a cascade of new litigation, resulting in part to numerous troubling definitions in the rule.

These new challenges will have a negative impact on the deal-making process; for instance, landlords may be unable to fulfill or uncertain of the timeline for meeting lease obligations, leading to possible departure of tenants. Tenant companies seeking to expand or relocate their operations to new locations will be impacted, as project scheduling, timing, and cost will be affected by the need to determine whether a permit is required to conduct activities in these areas. Additionally, the scope, timing, and risk to capital investment of land use would need to be adjusted to account for the expanded requirements and new permit requirements.

As the 119th Congress begins its work and the Trump administration takes office, ICSC continues to offer itself and its tens of thousands of members, constituents, and experts to help Congress and the administration complete its challenging work ahead. ICSC intends to meet with EPA Regional Administrators, once confirmed, to express these interests and concerns. With questions, please contact Abby Jagoda at ajagoda@icsc.com

/s/

International Council of Shopping Centers

**LONG ISLAND WATER
CONFERENCE**

c/o Hicksville Water District
4 Dean Street
Hicksville, New York 11801
Phone: (516) 931.0184
e-mail:
pgranger@hicksvillewater.org

**Legislative Committee**

Paul J. Granger, P.E. – Hicksville W.D.
Tyrand Fuller P.G. – Suffolk County W.A.
Steven Delligatti – Liberty Utilities

January 13, 2025

The Honorable Shelly Moore Capito
United States Senator for West Virginia Incoming Chair of SEPW
172 Russell Senate Office Building
Washington, DC 20510

Dear Senator Capito,

On behalf of the Long Island Water Conference (LIWC), we would like to congratulate you on your recent appointment to Chairman of the Senate Environment and Public Works Committee. We note that your experience in this area will lead to sound policies and guidance for the environment, particularly in drinking water as regulated under the U.S. Environmental Protection Agency (EPA).

The Long Island Water Conference (LIWC) is an alliance of 50 public and private drinking water purveyors and other industry professionals within Nassau and Suffolk Counties that supply potable water to more than three million people. The organization, founded 70 years ago, is dedicated to ensuring that a clean, safe and abundant water supply is maintained for all Long Islanders. Since its inception in 1951, the LIWC has been involved in all phases of water supply and management in Nassau and Suffolk. Members include large and small water suppliers, both public and private, all across Long Island. Together they serve approximately 90 percent of the bi-county area, which has a population greater than 20 states.

As a major professional water supplier organization on Long Island New York, we are offering our strong support for fellow Long Islander and New Yorker Lee Zeldin, who has been nominated to be the Administrator of the EPA. The ever-increasing regulatory burdens that face water utilities today is very challenging which places significant pressure on resources related to finances, staffing, and compliance. This continues to drive up concerns on water affordability and rate stability. Based on Mr. Zeldin's record as a past state senator and congressman, we firmly believe that his philosophy and approach to regulations and commonsense policy align with you, and he is most qualified to lead the EPA. We believe that Mr. Zeldin's experience will provide a balanced approach to the regulatory process. This will ultimately provide effective protection of public health and the environment.

We look forward to your leadership under an everchanging and challenging regulatory environment.

Very truly yours,
LONG ISLAND WATER CONFERENCE

Paul J. Granger, P.E. Legislative Committee Co-Chair



PRESIDENT

Diane S. Taniguchi-Dennis
Chief Executive Officer
Clean Water Services
Hillsboro, OR

VICE PRESIDENT

William J. "Mickey" Conway
Chief Executive Officer
Metro Water Recovery
Denver, CO

TREASURER

Kyle Dreyfuss-Wells
Chief Executive Officer
Northeast Ohio Regional
Sewer District
Cleveland, OH

SECRETARY

Laura Briefer
Director
Salt Lake City Department
of Public Utilities
Salt Lake City, UT

CHIEF EXECUTIVE OFFICER

Adam Krantz

1130 Connecticut Ave NW
 Suite 1050
 Washington DC 20036

T (202) 833-2672
 F (888) 267-9505

www.nacwa.org

January 13, 2025

The Honorable Shelley Moore Capito
 Chair, Committee on Environment and Public Works
 United States Senate
 Washington, DC 20510

The Honorable Sheldon Whitehouse
 Ranking Member, Committee on Environment and Public Works
 United States Senate
 Washington, DC 20510

RE: NACWA Support for the Nomination of Lee Zeldin to EPA Administrator

Dear Chair Capito, Ranking Member Whitehouse, and Members of the Senate Committee on Environment and Public Works:

On behalf of the National Association of Clean Water Agencies (NACWA), I am writing to offer support for the nomination of Lee Zeldin to serve as Administrator of the U.S. Environmental Protection Agency (EPA).

NACWA represents over 350 public wastewater and stormwater utilities nationwide, which range from large urban utilities to small rural utilities, collectively providing clean water services to more than 150 million Americans. NACWA members are deeply committed to advancing the protection of public health and the environment while ensuring sustainable, reliable water services for all communities.

NACWA has a long history of strong working relationships with EPA leadership and career staff in both Republican and Democratic administrations, and we believe Mr. Zeldin's nomination presents an opportunity to continue and build upon our strong bipartisan partnership with EPA.

Mr. Zeldin's extensive public service experience, including his tenure in the U.S. House of Representatives, has demonstrated an ability to navigate complex environmental and regulatory challenges. Throughout his career, he has shown a willingness to engage with a broad spectrum of stakeholders to address pressing issues, including those facing the public clean water utility community and the water sector as a whole. This approach is critical for achieving EPA's mission in a way that balances environmental protection and pragmatic public policy implementation allowing clean water utilities to best serve their communities.

NACWA Support for the Nomination of Lee Zeldin to EPA Administrator
January 13, 2025
Page 2 of 2

As our nation grapples with significant challenges such as addressing emerging contaminants like PFAS, increasing investment in water infrastructure and building climate resilience, strong leadership at EPA is essential. NACWA believes that Mr. Zeldin's collaborative approach and understanding of legislative processes will be valuable assets in tackling these challenges effectively and we look forward to working with him.

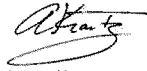
NACWA would like to emphasize the importance of addressing PFAS contamination and ensuring that public clean water utilities are protected from inappropriate liability for these chemicals, which they did not produce or profit from. We are hopeful that Mr. Zeldin will consider the role of public clean water utilities as passive receivers of these chemicals and will work collaboratively with us to establish and support targeted liability protections for water sector utilities. Such protections are essential to ensure laws and regulations remain focused on holding the right parties accountable while allowing clean water utilities to concentrate their resources on protecting public health and the environment.

Additionally, the affordability of water services remains a growing concern for many communities and is a critical economic challenge facing millions of Americans. If confirmed, NACWA urges Mr. Zeldin to support and prioritize policies that address water affordability, including robust funding for water infrastructure and a well-funded Clean Water State Revolving Fund. These resources are vital for ensuring that utilities have the financial capacity to meet their regulatory requirements while maintaining affordable rates for their ratepayers.

We look forward to continuing our constructive partnership with EPA under Mr. Zeldin's leadership and to advancing our shared goals of clean and sustainable water for communities nationwide.

Thank you for considering NACWA's perspective on this important nomination. Please do not hesitate to contact me or Nathan Gardner-Andrews, NACWA's Chief Advocacy & Policy Officer, at 202.833.3692 or ngardner-andrews@nacwa.org if we can provide additional information or discuss this matter further.

Sincerely,



Adam Krantz
CEO



Rich Nolan
President & CEO

January 13, 2025

<p>The Honorable Shelley Moore Capito Chairwoman Senate Committee on Environment and Public Works 410 Dirksen Senate Office Building Washington, D.C. 20510</p>	<p>The Honorable Sheldon Whitehouse Ranking Member Senate Committee on Environment and Public Works 410 Dirksen Senate Office Building Washington, D.C. 20510</p>
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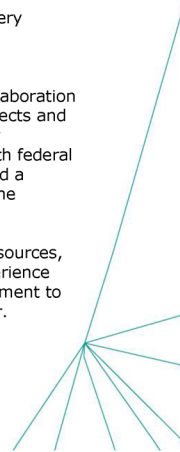
Dear Chairwoman Capito and Ranking Member Whitehouse:

As President and CEO of the National Mining Association (NMA), I am writing to express NMA's support for the nomination of the Honorable Lee Zeldin to serve as Administrator of the Environmental Protection Agency (EPA). Mr. Zeldin's legislative record, leadership, and experience navigating environmental challenges make him well-prepared to lead the EPA.

The NMA is the only national trade organization that serves as the voice of the U.S. mining industry and the hundreds of thousands of American workers it employs before Congress, the federal agencies, the judiciary, and the media, advocating for public policies that will help America fully and responsibly utilize its vast natural resources. We work to ensure America has secure and reliable supply chains, abundant and affordable energy, and the American-sourced materials necessary for U.S. manufacturing, national security, and economic security, all delivered under world-leading environmental, safety, and labor standards. The NMA has a membership of more than 280 companies and organizations involved in every aspect of mining, from producers and equipment manufacturers to service providers.

Throughout his career, Mr. Zeldin has demonstrated an ability to foster collaboration and transparency. His bipartisan work to support critical infrastructure projects and address public health concerns illustrates his understanding of the need for cooperative federal-state partnerships. Mr. Zeldin's practical experience with federal regulatory frameworks positions him to lead the EPA with accountability and a results-driven approach that is critical to the mining and energy sector of the economy.

The EPA's mission is vital to protecting public health, conserving natural resources, and supporting sustainable development. We believe that Mr. Zeldin's experience managing complex regulatory and policy issues, combined with his commitment to balanced, effective governance, makes him a good choice for Administrator.



Lee Zeldin Support Letter
January 13, 2025
Page 2

We respectfully urge the Committee to confirm Mr. Zeldin's nomination without delay. The NMA and I remain available to provide any additional information or assistance that may support this confirmation process.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Nolan", with a long horizontal flourish extending to the right.

Rich Nolan





Jim Matheson
Chief Executive Officer

January 9, 2025

Chairman Shelley Moore Capito
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairwoman Capito, *Shelley*

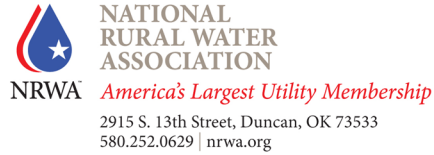
On behalf of the nearly 900 not-for-profit electric cooperative members of the National Rural Electric Cooperative Association (NRECA), I want to congratulate you on being selected to serve as Chair of the Senate Environment and Public Works Committee.

Locally, America's electric cooperatives are governed by the people they serve and are focused on powering and empowering their communities. Nationally, we are focused on advocating for smart energy policies to keep energy reliable and affordable for the American people.

Foremost among NRECA's priorities next year will be working with the Trump Administration and Congress to repeal the Environmental Protection Agency's unlawful power plant rule for greenhouse gas emissions as well as numerous other unlawful EPA regulations that threaten electric reliability. We also look forward to working with you to fix our nation's broken permitting process to streamline and accelerate reviews for electric and broadband infrastructure.

Congratulations again. Please don't ever hesitate to reach out to me if I can be helpful to you.

Sincerely,
Jim
Jim Matheson
I am looking forward to continuing to work with my fellow classmates from the 2000 election year members of Congress!



January 9, 2025

The Honorable Shelley Moore Capito
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Chairman Capito and Ranking Member Whitehouse:

On behalf of the National Rural Water Association (NRWA) and the more than 31,000 small and rural water and wastewater systems we represent, I'm writing to express our strong support for the nomination of former Representative Lee Zeldin of New York as Administrator of the Environmental Protection Agency (EPA).

Rep. Zeldin's legislative track record demonstrated a commitment to drinking water quality and sanitation while streamlining regulations to ease burdens on small and rural communities. This aligns with NRWA's mission, and we appreciated his support throughout his tenure in Congress. As a member of multiple bipartisan caucuses, including the PFAS Task Force, Rep. Zeldin supported efforts to address emerging contaminants by voting for the PFAS Action Act of 2021 and amendments to enhance disclosure requirements and remediation standards. These actions underscore his ability to navigate complex water quality challenges, without compromising affordability or compliance, while respecting the economic realities facing rural water utilities.

The nation's small systems, which make up 91% of the country's drinking water utilities, face aging infrastructure, personnel shortages, and growing regulatory challenges. Rep. Zeldin's leadership will present an opportunity to prioritize water infrastructure investments where they are needed most and reestablish consistent, effective technical assistance programs with proven providers, like NRWA, as Congress intended. This approach will be essential to ensure rural communities receive the trusted guidance necessary to meet federal regulations and continue providing safe, reliable water service. NRWA's established relationships and unmatched expertise have been invaluable in helping thousands of communities navigate complex EPA regulations, avoid costly fines, secure infrastructure funding, and sustainably operate their water systems. Critical issues like PFAS regulation, the Lead and Copper Rule, and cybersecurity demand immediate attention, and Rep. Zeldin's history of collaboration with practitioners will be necessary to assist small communities in meeting these regulatory requirements while maintaining affordable, feasible compliance.

We urge the Committee to confirm Rep. Zeldin's nomination and look forward to working with him to strengthen America's water infrastructure and protect public health.

Sincerely,

Matthew Holmes
Chief Executive Officer

NSSGA®NATIONAL STONE, SAND
& GRAVEL ASSOCIATION

January 16, 2025

The Honorable Shelley Moore Capito
Chair
Committee on Environment and Public Works
U.S. Senate
172 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and Public Works
U.S. Senate
530 Hart Senate Office Building
Washington, D.C. 20510

Dear Senators Capito and Whitehouse,

As the Committee on Environment and Public Works prepares to vote on the nomination of former Representative Lee Zeldin to serve, as Administrator of the U.S. Environmental Protection Agency (EPA), the National Stone, Sand & Gravel Association (NSSGA) would like to express our unwavering support for his confirmation.

As a distinguished former member of Congress, Mr. Zeldin understands how environmental policy impacts different regions of the country. His understanding of the challenges and opportunities within the aggregates industry will enable him to effectively address the most pressing issues facing our nation's critical infrastructure and supply chain. His vision for the EPA aligns with our goals that environmental laws and regulations should be based on sound scientific, engineering and medical research and established scientific, engineering and medical principles.

NSSGA represents stone, sand and gravel producers who are responsible for the essential raw materials found in every building, road, bridge and public works project. NSSGA looks forward to working with an EPA administrator who understands the harmful repercussions of overregulation. NSSGA members believe that wise environmental stewardship is good business. Aggregates operations around the country recognize that the Earth's resources, upon which all life depends, are finite. Wise environmental stewardship is necessary today to preserve the potential for a quality life for future generations.

We respectfully urge you to support Lee Zeldin's confirmation as EPA Administrator. Thank you for considering our position. Please contact me if you have any questions or would like any additional information.

Sincerely,

Michele Stanley
Interim CEO
National Stone, Sand & Gravel Association





The Honorable Shelley Moore Capito
Chairman
United States Senate Committee on
Environment and Public Works
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member
United States Senate Committee on
Environment and Public Works
Washington, D.C. 20510

Dear Chairman and Ranking Member,

We are writing you today on behalf of the New York State Chapter of the National Waste & Recycling Association (NWRA) to offer our strong support for President-elect Donald J. Trump's selection of Lee M. Zeldin as the 48th Administrator of the Environmental Protection Agency (EPA).

NWRA members operate in all 50 states and the District of Columbia and can be found in most, if not all, U.S. congressional districts. Waste and recycling facilities number nearly 18,000 scattered throughout the U.S., mirroring population centers.

NWRA members:

- Collect, process and manage all things waste, including organics, industrial, construction & demolition debris and medical waste.
- Operate and manage landfills, transfer stations and recycling operations in compliance with all federal and state laws.
- Deploy, manage and service truck fleets and collection vehicles.
- Design, manufacture, sell and service equipment and supplies.
- Provide engineering, consulting services and other professional services.

As the representative of the New York's 1st Congressional district and New York State's 1st Senate District, Lee Zeldin top priority was the interests of his constituents. He continuously sought a balance between economic development and advocating on behalf of New York's environment. As a lifelong Long Islander, Mr. Zeldin successfully fought in the State Senate and Congress for coastal resilience and nature preservation projects and repeatedly looked for bipartisan compromise on environmental issues.

For these reasons, the New York State Chapter of the National Waste & Recycling Association supports Lee M. Zeldin's nomination and looks forward to his strong leadership as the 48th Administrator of the Environmental Protection Agency.

Sincerely,

Lewis Dubuque
Lewis Dubuque
Vice President, Chapter Relations
National Waste & Recycling Association

Michael E. Hoffman
Michael E. Hoffman
President & CEO
National Waste & Recycling Association

Visit our website www.wasterecycling.org



Portland Cement Association
200 Massachusetts Ave NW, Suite 200
Washington D.C., 20001
202.408.9494
www.cement.org

January 16, 2025

The Honorable Shelley Moore Capito
Chairwoman, Environment & Public Works
U.S. Senate
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member, Environment & Public Works
U.S. Senate
Washington, D.C. 20510

Dear Chairwoman Capito and Ranking Member Whitehouse:

The Portland Cement Association (PCA), which represents cement manufacturers across the country, expresses its support for the Senate's expedient consideration and approval of the nomination of former Representative Lee Zeldin to serve as Administrator of the U.S. Environmental Protection Agency (EPA).

As you may know, PCA is the premier policy, research, education, and market intelligence organization serving America's cement manufacturers. PCA's members represent the majority of the U.S. cement production capacity and have facilities in all 50 states. Our members manufacture cement, the primary ingredient in concrete, an essential construction material, and a fundamental component of our nation's transportation infrastructure. Cement is used to construct highways, bridges, tunnels, mass transit systems, airports, runways, and sidewalks. Cement and concrete product manufacturing, directly and indirectly, employs approximately 600,000 people across the United States, and our collective industries contribute over \$130 billion to our economy.

The EPA's role in regulating the cement industry through direct and indirect environmental regulations is substantial. As cement is critical to economic growth and a strong quality of life for Americans, the choice of Administrator is critical at this time of global and domestic environmental and economic challenges.

PCA is committed to sustainability and protecting human health & the environment. As a result of emissions reductions from America's industrial sources, including reductions enabled by investments in new technologies, many of our nation's environmental laws have grown outdated. Modernizing the agency's enactment of Congressional mandates requires an Administrator who balances the American people's needs. Mr. Zeldin's Congressional perspective, including his membership in the Conservative Climate Caucus, will be essential to directing that effort.

As the 119th Congress gets underway, PCA is ready to work with Congress and the Trump Administration on policies critical to the nation's cement manufacturers. If you have any questions, please do not hesitate to reach out to me at soncill@cement.org.

Sincerely,

A handwritten signature in black ink that reads "S. O'Neill". The signature is written in a cursive style.

Sean O'Neill
Senior Vice President
Government Affairs

Cc: All members of the U.S. Senate



Sustainable. Resilient. Essential.
recycledmaterials.org

January 10, 2025

The Honorable Shelley Moore Capito
Chair, Senate Environment and Public Works
Committee
456 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member, Senate Environment and Public
Works Committee
456 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Support for Confirmation of Congressman Zeldin as EPA Administrator

Dear Chairman Capito and Ranking Member Whitehouse,

On behalf of the Recycled Materials Association—the leading organization dedicated to promoting safe, economically sustainable, and environmentally responsible recycling through education, networking, and advocacy – I am writing to express our strong support of the confirmation of Congressman Zeldin as the next Environmental Protection Agency (EPA) Administrator.

The Recycled Materials Association (ReMA)—formerly the Institute of Scrap Recycling Industries (ISRI)—represents 1,650 companies that play a critical role in providing recycled materials to America's manufacturing industries. The recycled materials industry is integral to the U.S. economy, transforming surplus and end-of-life materials into essential components of daily life and providing high-quality renewable resources for everything from national infrastructure to consumer products. The roads we drive on and the cars we drive in, the rebar that strengthens our buildings, the wires that bring electricity and communications into our homes and offices, and the boxes that bring consumer goods and food to our homes are all made with recycled materials. The recycled materials industry is **Sustainable, Resilient and Essential**, producing materials that conserve and protect the environment, grow the economy, and stabilize supply chains.

Rooted in environmental stewardship, our industry is committed to protecting air, land, and water. The recycled materials industry and ReMA strongly believe that achieving environmental protection while also securing economic growth and fostering innovation is possible and look forward to working with the U.S. Congress and the Administration, including the EPA to meet these goals. Collaboration rather than broad regulatory overreach, is vital to achieving that future. Congressman Zeldin's record of public service and his deep understanding of both environmental challenges and industry realities uniquely position him to lead the EPA.

We believe confirming a leader who recognizes the critical role of industry in achieving environmental goals will help us build a stronger, more resilient future for all Americans and as such we respectfully urge you to support the confirmation of Congressman Zeldin as our next EPA Administrator.

Sincerely,

President, Recycled Materials Association



January 14, 2024

The Honorable Shelley Moore Capito
Chairman
Committee on Environment & Public Works
United States Senate
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment & Public Works
United States Senate
Washington, DC 20510

Chairman Capito & Ranking Member Whitehouse:

I am writing you on behalf of The Fertilizer Institute (TFI) to offer my endorsement and full support for the nomination of The Honorable Lee M. Zeldin to be Administrator of the Environmental Protection Agency (EPA).

Throughout his career in public service, Mr. Zeldin has been committed to science-based environmental policy, recognizing that protecting our environment and enabling economic growth can and should be achieved together. This common-sense approach is one that the fertilizer industry, farmers, and all of agriculture follows daily, and we are confident that it will serve Mr. Zeldin and the nation well.

TFI and our member companies are especially focused on ensuring that EPA is led by an individual who values proactive, frequent, and productive engagement with the agriculture community on key issues and common priorities. This is especially true as EPA continues to develop policies that will impact the production and use of the fertilizers that farmers across our nation depend on to provide American and the world with affordable food. Mr. Zeldin's thoughtful and bipartisan method of policymaking meets that objective.

The fertilizer industry is committed to continually taking steps that make positive contributions to the environment, the economy, and society. These include efforts such as the "4R Nutrient Stewardship Framework" to support farmers in improving farm performance and reducing nutrient loss, the development of innovative fertilizer products, and advancements in production processes that meet and exceed environmental standards.

The fertilizer industry plays a critical role in feeding our nation and the world, supporting nearly 500,000 American jobs, and driving agricultural efficiency and food security. As industry's representative association in the United States, TFI encourages the Committee to approve Mr. Zeldin's nomination and supports his confirmation by the full Senate.

Sincerely,

Corey Rosenbusch
President and CEO
The Fertilizer Institute

cc: Members of the United States Senate

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.
WASHINGTON OFFICE
325 7th STREET, NW, SUITE 1000, WASHINGTON, DC 20004

January 9, 2025

Chairman Shelley Moore Capito and Ranking Member Sheldon Whitehouse
Senate Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Capito and Ranking Member Whitehouse:

On behalf of Toyota Motor North America, Inc., I am writing to express our support for the swift confirmation of Former Representative Lee Zeldin to serve as Administrator of the Environmental Protection Agency.

In the automotive sector, we face unique challenges balancing innovation, consumer choice and vehicle affordability, while ensuring ongoing environmental progress. Over the past four years, Toyota hasn't wavered in its goal of reducing greenhouse gas emissions as much and as quickly as possible. Our approach provides consumers with many choices: hybrids, plug-in hybrids, fuel-cell electric and battery-electric vehicles. We believe this is the best way to achieve meaningful emissions reductions while meeting customer needs.

Unfortunately, current environmental policy has overlooked the contribution of hybrids, favoring only one clean vehicle option, battery electric vehicles. The federal government, through the EPA's greenhouse gas emissions standards, and several state governments, led by California, have set regulations that overly rely on one powertrain to reduce carbon emissions, reducing consumer choice and harming vehicle affordability.

To be clear, we support the rollout of battery-electric vehicles. Toyota has invested nearly \$14 billion to build a battery plant in North Carolina. But the current EPA and CA mandates harm the auto industry's ability to offer a variety of zero- or low-emissions vehicle options at different price points and with different characteristics. We want everyone, regardless of budget or specific needs, to be able to contribute to reducing emissions.

With his record of bipartisanship and pragmatism, we believe Lee Zeldin's confirmation as EPA Administrator would provide a balanced approach to environmental policy that doesn't leave consumers behind. His leadership would help create an environment where Americans have access to affordable vehicles that meet their needs while advancing the goal of reducing vehicle emissions.

We strongly urge you to support Mr. Zeldin's confirmation.

Sincerely,



Stephen Ciccone
Group Vice President, Government Affairs



U.S. Chamber of Commerce

1615 H Street, NW
Washington, DC 20062-2000
uschamber.com

January 27, 2025

To the Members of the United States Senate:

As the U.S. Senate considers the nomination of Congressman Lee Zeldin to be Administrator of the U.S. Environmental Protection Agency (EPA), the U.S. Chamber of Commerce offers the following observations. As demonstrated during his confirmation hearing, Representative Zeldin is a highly qualified candidate whose leadership and vision will ensure the EPA continues to uphold its mission while fostering economic growth and job creation. We urge quick consideration by the full Senate of Mr. Zeldin's nomination and look forward to working with him upon his confirmation.

During his hearing, Mr. Zeldin demonstrated a steadfast commitment to achieving a balanced approach to environmental stewardship. He understands the importance of utilizing American energy resources responsibly, creating jobs, and maintaining the United States' position as a global leader in environmental quality.

The United States has long been recognized for having some of the highest environmental standards in the world. At the same time, it is well understood that businesses and workers are spending too much time and money navigating burdensome regulations, and regulatory overreach at EPA is a major challenge to economic competitiveness. Mr. Zeldin's understanding of these challenges and his dedication to sound regulatory principles will help ensure that the EPA's policies are both practical and effective, supporting the needs of businesses and communities alike.

We look forward to working with the Senate and Mr. Zeldin to advance our nation's environmental and economic future.

Sincerely,

A handwritten signature in blue ink, which appears to read "Neil L. Bradley". The signature is fluid and cursive.

Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce

Senator Bo Biteman
President of the Senate
Wyoming Senate Senate District 21



address P.O. Box 283 • Ranchar, WY 82839
mobile (307) 751-6178
email Bo.Biteman@wyoleg.gov

January 23, 2025

Senator Shelley Moore Capito
Chair of US Senate Committee on Environment & Public Works
Senator Sheldon Whitehouse
Ranking Member of the Committee on Environment & Public Works
United States Senate
410 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Chairman Capito and Ranking Member Whitehouse,

As the newly elected leaders of Wyoming Legislature, we enthusiastically write to express our strong support for the nomination of Lee Zeldin as the next Administrator of the Environmental Protection Agency (EPA). Wyoming is a state rich in natural resources, and the mining and energy industries are the backbone of our economy, supporting thousands of families and contributing significantly to the nation's energy independence. We believe that Mr. Zeldin's leadership and commitment to balanced environmental policies make him uniquely qualified to lead the EPA in a manner that respects both environmental stewardship and economic growth.

Wyoming is the nation's top producer of coal, uranium, and trona, and is in the top 10 for oil and natural gas production. Our state's energy sector not only powers homes and businesses across America but also provides high-paying jobs that sustain our communities. Wyoming is also a timber producer and home to needed critical minerals. These industries depend on a regulatory environment that is fair, predictable, and business friendly. Overly burdensome regulations threaten not only Wyoming's economy but also the security of our great Nation.

Mr. Zeldin has demonstrated a deep understanding of the critical role that energy production plays in our country's prosperity and security. His record of championing pragmatic policies that balance environmental protection with economic development is precisely what the EPA needs at this pivotal moment. As a former member of Congress, Mr. Zeldin has consistently advocated for policies that empower states like Wyoming to responsibly manage their natural resources while ensuring environmental sustainability.

We are confident that under Mr. Zeldin's leadership, the EPA will foster a cooperative relationship with states and industries, rather than adopting a one-size-fits-all approach that often disregards the unique challenges and opportunities in states like Wyoming. His commitment to regulatory reform and transparency aligns with our state's values and priorities.


Senator Shelley Moore Capito
Senator Sheldon Whitehouse
Committee on Environment & Public Works
January 23, 2025
Page 2


We urge you to give full consideration to Mr. Zeldin's nomination and to support his confirmation as EPA Administrator. His leadership will bring much-needed balance to the agency and help ensure that states like Wyoming can continue to contribute to the nation's energy future while safeguarding our natural resources for generations to come.

Thank you for your attention to this important matter. Please do not hesitate to contact us if we can provide further insights or support regarding Mr. Zeldin's nomination.

Sincerely,


Bo Biteman
President, Wyoming State Senate


Tim Salazar
Vice President, Wyoming State Senate


Tara Nethercott
Majority Floor Leader, Wyoming State Senate



PRESS RELEASES

Electrical Contractors Support
Selection of Former US
Congressman **Lee Zeldin** as
**Environmental Protection Agency
Administrator**

Jan 8, 2025

(WASHINGTON, D.C.) – On behalf of the National Electrical Contractors Association (NECA), NECA Chief Executive Officer **David Long** is proud to endorse President-elect Donald Trump's selection of Lee Zeldin for the position of Administrator of the Environmental Protection Agency (EPA). Mr. Zeldin is a former United States Congressman who represented New York's First Congressional District from 2015-2023.

"Lee Zeldin's extensive leadership experience and commitment to balancing environmental stewardship with economic growth make him exceptionally well-suited to lead the EPA at this critical time," expressed **Long**. "His understanding of the challenges faced by industries like ours, coupled with his collaborative approach to policymaking, gives me full confidence in his ability to effectively lead the EPA in achieving its mission."

As a former member of Congress, Mr. Zeldin demonstrated an unwavering dedication to sensible solutions that protect natural resources while ensuring regulatory frameworks remain fair for American businesses. Zeldin's proven leadership and results-driven approach is expected to ensure the EPA continues to safeguard the environment while fostering innovation and economic opportunity. NECA wishes him the best in his confirmation process and eagerly anticipates the positive contributions he will bring to this vital role.

Senator CAPITO. I would like to thank you, Congressman Zeldin. I would also make just several quick observations. It is obvious to me in the testimony and the questions that you took a lot of time and effort through you and the folks that were helping you to make sure that every member had access to you and had a conversation with you before you actually testified before the committee.

I think that was definitely reflected in the tone and the substance that we saw here today. I appreciate that. I know it is time consuming and difficult sometimes to get on everybody's schedule, but I think you did a magnificent job here.

Without further questions, I would like to thank you and thank your family for being here and for your participation. Senators who wish to submit written questions for the record have until 5 p.m. tomorrow, Friday, January 17th, to do so. The nominee's responses to those questions for the record are due back to the committee no later than 9 a.m. on Tuesday, the day after inauguration, January 21st.

With that, I do look very much forward to helping to shepherd you. I think you have done an excellent job here today. You will be an excellent Administrator to the EPA, and I fully expect that your confirmation will be very positive.

Thank you very much, and everybody enjoy the day. Thank you. We are adjourned.

[Whereupon, at 1:16 p.m., the hearing was adjourned.]

Statement from the American Petroleum Institute, on January 14th, 2025:

"We are pleased to support the nomination of Congressman Lee Zeldin, who has a proven track record of finding solutions to the nation's most pressing energy challenges. We look forward to working with Zeldin once confirmed to advance American energy leadership, from developing smart, effective regulations to ensuring consumers—not the government—can choose the vehicles they drive." —API President and CEO Mike Sommers

January 11, 2025

The Honorable Shelley Moore Capito
Chair
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Madam Chair:

The Ethics in Government Act of 1978, as amended, provides that Presidential nominees for a position requiring the advice and consent of the Senate shall update their public financial disclosure report with respect to any outside earned income and honoraria received through the period ending no more than five days prior to the commencement of the Senate hearing of their nomination. See 5 U.S.C. § 13103(b)(1) and 5 C.F.R. § 2634.606(a).

The information on my public financial disclosure report was current as of January 9, 2025.

Since that date for which disclosures were shown on my nominee report through the date of this letter, I received no income, no honoraria, and no residential rental income.

Sincerely yours,



Lee Zeldin

cc: David P. Huitema, Director, OGE
Justina Fugh, Alternate Designated Agency Ethics Official, US EPA



American
Fuel & Petrochemical
Manufacturers

1800 M Street, NW
Suite 900 North
Washington, DC
20036

202.457.0480 office
afpm.org

15 January 2025

The Honorable Shelley Moore Capito
Chairman, Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

Chairman Capito,

On behalf of the American Fuel & Petrochemical Manufacturers (AFPM), we ask you to schedule a full committee vote as soon as possible to confirm Lee Zeldin to be the next Administrator of the U.S. Environmental Protection Agency (EPA).

Throughout his career in Congress, Administrator nominee Zeldin consistently demonstrated a thoughtful and pragmatic approach to addressing key environmental issues while balancing the needs of energy development. His experience working across party lines makes him an ideal candidate to lead the EPA in a manner that fosters both collaboration and innovation.

Administrator nominee Zeldin's leadership would undoubtedly bring a fresh perspective to the EPA and help strengthen the agency's role in addressing the complex environmental challenges we face.

I strongly urge the Senate Committee on Environment and Public Works to advance his nomination swiftly, and we offer our full support for his appointment as EPA Administrator.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chet Thompson', written in a cursive style.

Chet Thompson
President and CEO
American Fuel & Petrochemical Manufacturers



**American
Fuel & Petrochemical
Manufacturers**

1800 M Street, NW
Suite 900 North
Washington, DC
20036

202.457.0480 office
afpm.org

27 January 2025

The Honorable John Thune, Majority Leader
The Honorable Chuck Schumer, Minority Leader
United States Senate
Washington, DC 20510

Majority Leader Thune and Minority Leader Schumer,

On behalf of the American Fuel & Petrochemical Manufacturers (AFPM), we ask for you to bring the nomination of Lee Zeldin to be the next Administrator of the U.S. Environmental Protection Agency (EPA) to a vote on the Senate floor.

Throughout his time in Congress, Administrator nominee Zeldin presented a balanced and practical approach to tackling key environmental issues while balancing the needs of energy development. His experience working across party lines makes him an ideal candidate to lead the EPA in a manner that fosters both collaboration and innovation.

Administrator nominee Zeldin's leadership would bring a fresh perspective to the agency, helping to strengthen the EPA's role in tackling the complex environmental challenges we face.

I strongly urge the Senate to advance his nomination swiftly, and we offer our full support for his appointment as EPA Administrator.

Sincerely,

A handwritten signature in black ink, appearing to read "Chet Thompson", written in a cursive style.

Chet Thompson
President and CEO
American Fuel & Petrochemical Manufacturers