

Table of Contents

U.S. Senate

Date: Wednesday, February 1, 2023

Committee on Environment
and Public Works

Washington, D.C.

STATEMENT OF:	PAGE:
THE HONORABLE THOMAS R. CARPER, A UNITED STATES SENATOR FROM THE STATE OF DELAWARE	3
THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES SENATOR FROM THE STATE OF WEST VIRGINIA	8

BUSINESS MEETING

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Committee on Environment and Public Works

Washington, D.C.

The committee, met, pursuant to notice, at 10:02 a.m., in room 406, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Cardin, Whitehouse, Merkley, Markey, Kelly, Padilla, Fetterman, Lummis, Wicker, Sullivan, Mullin, Ricketts.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. I am pleased to call this business meeting of the Environment and Public Works Committee to order. I thank everyone for joining Senator Capito and me today for the first EPW committee meeting of the 118th Congress.

We have one person who is missing in action this morning, Mary Frances Repko. She is now working over in the Administration, someone who has been very much a part for over like a quarter of a century a key player in the House of Representatives, where Steny Hoyer worked for her for 10 years.

[Laughter.]

Senator Carper. You think I am kidding. Just ask him.

She has gone on, I won't say to bigger and better things, but she will be a good partner with all of us. She has been succeeded by Courtney Taylor, sitting right by me over my left shoulder. If you haven't had a chance to meet her, I think you are going to like her a lot. She is settling, and she and Adam have already started working together, which is a key to our success.

I want to begin by welcoming several of our newest members of our committee. And it says we have 10, so we can begin to vote any time. Thank you.

The newest members of our committee are Senator John Fetterman of Pennsylvania, I don't see John, although I saw him earlier today. And Markwayne Mullin of Oklahoma, Pete Ricketts of Nebraska. I hope I am not missing anybody. Welcome aboard. We were pleased to have a chance to meet with some of our new Republican colleagues yesterday.

Today we are going to vote on a couple of items, the committee's funding resolution and the rules that govern our committee's conduct. Senator Capito and I have agreed to begin voting as soon as we have established a quorum. I understand we have established a quorum of 10 people.

At that time, we will hit the pause button with respect to our members' statements and proceed straight to the items on our agenda. After our voting concludes, I will happily recognize any additional members who may wish to speak.

I am going to go ahead and finish this statement, it is not very long. Before we do, I want to take a moment to reflect on this committee's incredible accomplishments from the last Congress, most of them bipartisan, and express my hope for building on that work this Congress with Senator Capito and colleagues on both sides of the aisle.

The 117th Congress was an extraordinarily productive session for the Congress as a whole, and especially for our

committee. In 2021, we rolled up our sleeves, we got to work early on and we never stopped. We unanimously advanced two pieces of bipartisan infrastructure legislation out of our committee, our drinking water and wastewater legislation and our surface transportation and highway legislation which included the first-ever climate title.

Our bipartisan success with both of those became the foundation of the historic Bipartisan Infrastructure Law that became law in November of 2021. We were able to build on this success by passing the Inflation Reduction Act, the most significant investment to combat climate change in our Nation's history.

In our committee's title alone, we invested more than \$40 billion in reducing climate pollution, and advancing environmental justice. This historic law, and I think this is an important point to keep in mind, we created with that legislation millions of good-paying jobs from coast to coast. We will be helping to build a stronger, cleaner economy.

We didn't stop there. In December 2022, just about two months ago, we continued our committee's triumphant streak of passing the Water Resources and Development Act, WRDA, on time and with bipartisan support. Reauthorization of the Army Corps of Engineers, the fifth, I think consecutive two years we have

done that. This law is going to deliver on critical water resources projects from Delaware to California and across the Nation from Nebraska, through New Orleans and every place in between. All 50 States participated, we got great input from everybody, and we are delighted to have gotten such strong support from our colleagues and from the Administration.

As we begin this Congress, it is more important than ever to continue to work on a bipartisan basis to tackle some of the challenges facing the American people. I know that I have the great, maybe the best partner of any committee chair in the Senate, in Senator Capito and her staff, led by Adam, critical to many of our successes of our committee in the last Congress. I am confident that together we will continue to do great things, important things, for all of our States to protect our environment and to invest in our infrastructure and create a nurturing environment for job creation.

I believe this work includes watching over and helping guide the Biden Administration as they work to implement the historic laws that we passed in the last Congress, and includes taking action to address toxic chemicals like PFAS that harm human health. It includes reauthorizing important programs that foster economic growth like the Economic Development Administration and Brownfields programs. And it includes

improving our recycling systems just to name a few.

I look forward to working closely with Senator Capito, our subcommittee chairs, ranking members and all the members of this committee here on its best traditions of bipartisanship and hard work in the 118th Congress. With that all being said, I want to recognize the Ranking Member, Senator Capito, and again to thank her for being just a terrific partner, as we have done all these things together. Thank you.

[The prepared statement of Senator Carper follows:]

STATEMENT OF THE HONORABLE SHELLY MOORE CAPITO, A UNITED STATES
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Mr. Chairman. I want to take just a brief moment, but I thank you for years past and this coming session as well. I always look forward to working with you, and welcome to Courtney as well to the committee.

We notched many wins last year, as you talked about. Since our last meeting, the Water Resources Development Act of 2022 was signed into law as part of the 2023 National Defense Authorization Act. So this is critical support for all of our States, certainly in West Virginia for flood control and prevention, to improve and expand drinking water, wastewater and stormwater projects, and identify future opportunities for additional economic development.

Passage of WRDA on a two-year schedule ensures timely progress on projects that enable our Nation's commerce and restore our water resources and protect our communities. Last Congress, as you mentioned, the committee also developed the backbone of the Infrastructure Investment and Jobs Act, including the five-year Surface Transportation Reauthorization legislation as well as strong drinking and wastewater infrastructure legislation. I think we are starting to see the results of that in a lot of our States. These successes will be

hard to top, but I know we are going to try.

As we start the new Congress, I would like to join you in welcoming our new members on our Republican side, we are excited to have Senator Mullin and Senator Ricketts on EPW. Then-Congressman Mullin and I served together as members of the House Transportation and Infrastructure Committee, so it is nice to be reunited. And welcome, Senator Ricketts. I facetiously say you are joining that exclusive club of the former Governors club that are now Senators.

Senator Carper. Would you yield for a moment? I call it the recovering Governors.

[Laughter.]

Senator Capito. I call it something else, but I couldn't say it in public.

[Laughter.]

Senator Carper. Senator Capito, as you know, is the daughter of a former Governor of West Virginia. I start way too many sentences with these words: "When I was Governor of Delaware," so many have heard it more than they want to.

Senator Capito. Anyway, welcome, and we know that you have a passion for agriculture. I look forward to working with you on issues such as oversight of Waters of the U.S. definition and other things.

On the Democrat side, we certainly welcome Senator Fetterman, and I look forward to getting to know him.

Our first order of business is to organize. Last Congress, the committee adopted special rules to reflect the 50-50 equally divided Senate consistent with past precedent from 2001. Chairman Carper and I agreed at that time we now support returning to the committee's rules that have governed when one party had an outright majority.

The committee will therefore vote to adopt a modernized version of these rules that were last applied in the 116th Congress. I support adoption of these rules, as well as the proposed committee budget that we are considering today.

Once we are organized, our work will begin in earnest to develop legislation in areas that are ripe for bipartisan attention, including advanced nuclear legislation, brownfields reauthorization and economic development legislation, just to name a few. And of course, the Congress will work to keep WRDA on the two-year timeframe this committee has followed.

I will continue to scrutinize, as the Ranking Member, the Administration's agenda and actions, and conduct robust oversight.

The Biden Administration has announced plans to move forward with many regulations that will create regulatory

uncertainty, slow development of critical projects, and add cost. So we will be scrutinizing those as we move to the next session. I look forward to it.

[The prepared statement of Senator Capito follows:]

Senator Carper. Thank you, Senator Capito.

I see a quorum has been reached. We welcome everyone, one and all.

Moving now to our approve our committee's budget resolution and our committee's rule en bloc. Is there a second?

Senator Capito. Second.

Senator Carper. Thank you for that second. All in favor say aye.

[Chorus of ayes.]

Senator Carper. Opposed, say nay.

[No audible response.]

Senator Carper. The ayes have it.

In the opinion of the Chair, we have approved the committee budget resolution, which will be reported favorably to the Senate, as well as our committee's rules. The organizing portion of our meeting is concluded and I am now happy to recognize any member of our committee who would like to make a statement on the committee resolutions we just approved, or other matters, if you prefer.

With that, raise your hand and we will recognize you.

Senator Cardin. Mr. Chairman, we are all so excited to be back together again. How do we do an encore from what we got done in the last Congress?

Senator Carper. I don't know. If I live to be 100, I tell people back in Delaware, if I live to be 100, I don't know how we are going to do a better job done of getting stuff done than we did in the last Congress. It was just a terrific, terrific two years. But we will try. We will try. Everybody here had a role in that.

Anybody else with a statement or comment? With that, I will see you guys and gals on the Floor. Thank you, Senator Capito.

Senator Capito. Thank you, Mr. Chairman.

Senator Carper. We are adjourned.

[Whereupon, at 10:13 a.m., the business meeting was adjourned.]