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U.S. Senate

Date: Thursday, January 23, 2025

Committee on Environment
and Public Works

Washington, D.C.

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BUSINESS MEETING

Thursday, January 23, 2025

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 9:17 a.m. in room 406, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

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

Senator Capito. In the interest of time for everybody, very busy day with the hearings, I know Veterans Affairs has a hearing as well, I thought we would go ahead and begin the hearing, and then as soon as we have full attendance over here on my side, we will begin the vote. So we will suspend any kind of talking while we do the vote, then we will resume after the vote.

So, I am going to ask my Ranking Member, Senator Whitehouse, if he would like to make an opening statement about the nominee, or about anything, the weather, it is cold.

STATEMENT OF THE HONORABLE SHELDON WHITEHOUSE, A UNITED STATES
SENATOR FROM THE STATE OF RHODE ISLAND

Senator Whitehouse. Yes, those are not unrelated.

Three days ago, President Trump took office and as Americans will recall, one of his oft-repeated pledges through the campaign was that he was going to lower costs for consumers. Yet, on the first night of his second term in office, he signed a raft of anti-environmental executive orders that, if implemented, will lead to higher prices for consumers. And by the way, worse economic headwinds for our American economy.

Let's do a quick review. He directed EPA to revisit rules that limit pollution from cars, trucks and power plants. If the Trump EPA rescinds these rules, consumers will pay thousands of dollars more for gasoline, hundreds of dollars a year more for their electric bill, and that is money out of the pocket of almost every American, transferred into the pocket of the oil and gas industry that funded Trump's campaign.

He ordered a halt to offshore and onshore wind projects. Wind energy is key to reducing pollution and achieving affordable, stable energy prices. Less wind energy means more electricity demand met by combusting expensive and dirty fossil fuels, not to mention ceding our global competitive position in that industry to other countries.

He ordered a reversal of energy efficiency standards for

household appliances which would have saved the average American over \$100 per year. He ordered a dramatic reduction in the social cost of carbon, the metric used to estimate the harms, the harms to public health, to agriculture, and to the economy of each ton of carbon pollution emitted.

A free-to-pollute business model serves the fossil fuel industry and only the fossil fuel industry. But it is morally, economically, and environmentally wrong. He ordered EPA to revisit whether greenhouse gases are pollutants under the Clean Air Act. Reverse that finding and there is no way for EPA to reduce the pollution driving climate-flation and insurance and groceries, rising sea levels and threatened homes along our coastlines, and of course, the wildfires we are seeing in Los Angeles and the flooding that we saw in North Carolina.

All of this poses a systemic risk to our economy. The Trump agenda, after receiving immense funding from fossil fuel, is to break down climate change protections so that his big oil donors can sell more oil and gas and pollute for free, which brings us to Lee Zeldin.

The question becomes, is this gentleman capable of standing against that big oil political juggernaut? Sadly, all signs point to no. His consulting for Trump-affiliated organizations, and his op-eds spouting big oil-approved talking points do not inspire confidence. He sits on the board of a Trump-affiliated

dark money operation and won't disclose its donors, even to the ethics officials looking for conflicts of interest at EPA.

I think the American people deserve to know who the donors are, and of course, so does EPA's ethics teams, so they can know whether decisions he makes at EPA are driven by those donor interests or by the public interest.

He did not disavow moving EPA's headquarters, saying only that he hasn't been told of any plans. When asked if he supported traumatizing or firing most of EPA's staff, he equivocated: "I look forward to working with the talented career staff at EPA," and "I look forward to working with the very talented career staff at EPA" is how he non-answered.

He refused to acknowledge the price of oil is set by a cartel and driven by geopolitical events over which we have no control. And when asked about wind power, he spouted fossil fuel-funded talking points about harms to marine life that are offensive to anyone who knows anything about oceans and marine life.

We are in a perilous moment, colleagues. We have moved from the time of climate lines, frustrating and infuriating as that period was, to the time of climate consequences. We see already the leading edge of economic danger in the present-term oil and property insurance markets. You may not like the Budget Committee report on non-renewals. Treasury just did its own

report, coming to the same conclusions.

The Financial Stability Board in this report just echoed my warnings of a cascading economic failure, from insurance markets to mortgages and real estate markets, and through that to a general shock to our economic system. It is not the first report to say that. Under Trump, a Commodities Futures Trading Commission report found, and I am quoting it, "Climate change poses a major risk to the stability of the U.S. financial system and climate change could pose systemic risks to the U.S. financial system." If colleagues don't know what systemic risks are, have someone look it up. It is a frightening phrase.

The Economist Magazine, not exactly the Green New Deal publication, put this warning on its cover: "The Next Housing Disaster," that climate change is going to shake the foundations of the world's largest asset class.

And guess what? Mother Nature doesn't care about politics. As Pope Francis said, "Slap her, and she will slap you back." Insurance is already feeling her slap.

There was a time when Republican Presidents picked serious, independent people to run the EPA. George W. Bush chose Christie Whitman. Ronald Reagan chose Bill Ruckelshaus. In this dangerous time, I do not see Mr. Zeldin having the independence to lead the agency in a manner that will protect us against these looming dangers. He doesn't even seem to see that

they exist.

For that reason, I will vote no, and urge a no vote.

[The prepared statement of Senator Whitehouse follows:]

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

Senator Capito. Thank you, Senator Whitehouse.

We are waiting for one more member on our side, so I will commence with my opening statement. You can imagine it is in stark disagreement with my Ranking Member. But I don't think this bodes for the future of our bipartisanship here before the committee.

I want to thank you again for the generous gift. I did not bring my new gavel, because -- do you remember that gavel they had in the House and the Speaker hit it and the head flew off?

[Laughter.]

Senator Capito. Yes. I didn't want to damage it, so I didn't bring it.

Senator Whitehouse. It is a West Virginia gavel.

Senator Capito. Well, then it will stay strong. This is true. I should have more confidence.

So, anyway, last week we heard from Congressman Zeldin on his plans for the agency and his views of the EPA's role in protecting public health and the environment, and how the agency's actions intersect with our economy. Congressman Zeldin, I think, was an excellent witness. He described his intent to take a collaborative approach, both as Administrator, demonstrated also through his work with Congress and this

committee and all of its members to address the pressing issues of environmental needs that our Nation faces in this moment.

In particular, I deeply appreciated Congressman Zeldin's efforts to meet with all the members of the committee prior to his hearing, and his commitment to work with all of us to address the issues we have raised that impact our constituents, States, and our Country. If he said it once, he said it probably a dozen times that transparency is going to be one of the hallmarks of his service.

I believe he is well qualified for the position of Administrator and will be an excellent addition to the President's Cabinet. His past experience as the Congressman representing New York's First Congressional District gives him a unique understanding of how Congress makes laws, oversees the Executive Branch, and what is expected when it gives a mandate to Federal agencies.

As a representative from a northeastern State, and a district with a diverse set of political views, he understands what it means to build consensus to achieve durable results. He also has the necessary experience and integrity as a veteran of the war on terrorism, a Lieutenant Colonel in the Army Reserve, an attorney and a former Congressman, to implement the President's agenda at the agency pursuant to Congressionally-provided authority.

Finally, I was very pleased during his testimony to see how he intends to run the agency in line with the laws that the Congress has passed with the goal of prioritizing EPA's actions on the core responsibilities of the agency that are essential to protecting health and our land, air, and water.

As we have seen over the past 25 years, the policies of the EPA can have a significant impact on not just the environment, but our economy. The EPA should support policies and set rules that improve the environment while allowing innovators to grow the economy and protecting the pocketbook of American families. I believe that is a win-win.

Unfortunately, too often the EPA has strayed from its mission, instead smothered small businesses and communities, I can speak from experience, my State of West Virginia, with red tape, and forced higher costs on our constituents, a lose-lose. My home State of West Virginia, as I stated, has felt the negative impacts of EPA's regulatory over-reach in years, devastating portions of our State's economy and putting my constituents out of work.

Congressman Zeldin has shown that he understands the importance of striking the right balance to improve the lives of Americans across the Country and to protect the environment while also uplifting communities and cities across the Nation.

I urge our colleagues to support Congressman Zeldin's

nomination, so we can get the EPA back to the basics of improving the air we breathe, the water we drink, and the land that we use.

[The prepared statement of Senator Capito follows:]

Senator Capito. So I see my chair over there is still empty. I will say disappointedly so from my angle. So does anybody have any other comments?

So we will just hold here, we will pause for a moment. Thanks.

Senator Whitehouse. Just to be clear, the Chair has invited further comments, if you want to make them. But also, we will be sticking around after the vote. So if the vote suddenly starts up and you have to vote but you also want to make a statement, and you want to do it in person here in the committee, you will be afforded that opportunity, for those who came after we agreed to that.

[Pause.]

Senator Capito. All right, at this time I will ask Senators to hold their remarks. I will now call up the Presidential Nomination No. 11-23, Lee M. Zeldin of New York to be Administrator of the Environmental Protection Agency.

I move to approve and report the nomination favorably. Is there a second?

Senator Sanders. Second.

Senator Capito. Thank you very much. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. I vote no.

The Clerk. Ms. Blunt Rochester?

Senator Blunt Rochester. No.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Yes.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. Aye.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Moran?

Senator Moran. Aye.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Sanders. No.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye.

The Clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas were 11, the nays were 8.

Senator Capito. With that, the nominee is favorably reported and the Chair notes for the record the presence of a quorum.

If anybody has remarks, we can move forward. But I thank you all for coming. We had great full attendance here. Thank you for being here.

Does anybody have any remarks they would like to make? If there are no remarks, I would call this business meeting now adjourned.

[Whereupon, at 9:32 a.m., the business meeting was adjourned.]