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HEARING TO EXAMINE THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S
PROPOSED FISCAL YEAR 2027 BUDGET

Wednesday, April 29, 2026

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 2:40 p.m. in room 562, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

Present: Senators Capito, Whitehouse, Cramer, Lummis, Curtis, Sullivan, Ricketts, Wicker, Husted, Sanders, Markey, Kelly, Padilla, Schiff, Blunt Rochester.

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

Senator Capito. I want to gavel in, and I want to say good afternoon to the Administrator. Administrator Zeldin, I would have come down to shake your hand, but we are running a little behind. And in consideration of time, I will just wave to you and thank you for being here. I appreciate your time and your willingness to appear before the committee, as always.

Over the last year, we have seen a clear change in the direction of EPA, one that is grounded in EPA's authorizing statutes and recognizes the importance of reliable, affordable energy. That change matters, no matter where you live, in what State, and it is certainly no different in my State of West Virginia.

In November, thank you very much, during your visit to West Virginia, you heard first-hand about the real economic benefits that are resulting from the regulatory relief efforts in Congress and with the Trump Administration.

Administrator Zeldin, thank you. Thank you for taking the time to talk to my constituents and understand how the policies and actions that occur here in Washington directly impact the livelihoods of those in the Mountain State.

For too long, EPA policies imposed unnecessary and costly burdens on American workers, farmers, manufacturers, energy

producers and communities. We saw rules that drove power plants and coal mines toward closure, raised costs for families and ignored the plain realities of our electric grid.

The EPA buried the economy in red tape and killed economic growth. So that is changing. The EPA is now working hard to undo, point by point, the Biden Administration's war on coal and other matters.

The EPA proposed to repeal the Biden Administration's Clean Power Plan 2.0 rule, an unworkable and unlawful rule that would have forced the shutdown of coal plants and prohibited new gas plants. It would have devastated our electric reliability by causing major electricity generation shortages. I encourage the EPA to finalize that rule's repeal.

The agency also extended compliance deadlines for the Effluent Limitations Guidelines and repealed the Biden-era MATS rule. These were unnecessary Biden rules with unrealistic timelines that would have forced power plants to shut down rather than continue to operate efficiently and in compliance with our environmental laws.

This year, the EPA rescinded the 2009 Endangerment Finding. That finding was wrongfully used to justify sweeping rules that Congress never authorized and that imposed hundreds of billions of dollars of costs on our economy. Rescinding it is a momentous milestone in returning the EPA to adhering to its

statutory role.

The costly regulatory regime that the Endangerment Finding supported was inconsistent with the requirement of clear Congressional authority that the Supreme Court found was necessary for such actions in the decision in *West Virginia v. EPA*. The EPA's work is not limited just to the power sector.

After Administrator Zeldin sent the Biden-era California Waiver to Congress, we repealed the Democrat's attempt to enact a nationwide electric vehicle mandate without a vote in Congress. With that vote, Congress preserved consumer choice and protected our constituents from government-mandated higher vehicle costs.

Finally, Administrator Zeldin is bringing real accountability for how our taxpayers' dollars are being spent. The Inflation Reduction Act created a bunch of wasteful programs at EPA that funded climate spending with little actual environmental benefit, such as for activists' pet projects and even funded activists to more easily sue the government to stop permits and projects.

Two programs were of particular concern: \$30 billion that went to the so-called Green Bank and Environmental Justice Block Grant programs. Billions of dollars went out the door with limited transparency and questionable oversight. The EPA's action to cancel roughly \$17 billion of those grants was an

important first step for Congress to build upon, which we did in the Working Family Tax Cut bill.

The EPW Committee's title of that bill took the final step to repeal the Green Bank and rescind those cancelled grant funds, as well as millions of dollars from other IRA programs, clawing them back to the United States Treasury on behalf of the American taxpayers.

The EPA, under Administrator Zeldin's leadership, is delivering real results to benefit West Virginians and the American people. But there is still much work to be done. We need to ensure that the EPA's bipartisan foundational programs, like the Drinking Water and Clean Water State Revolving Funds, are adequately funded. These programs are how communities, especially small and rural communities, replace aging pipes, update treatment systems and ensure safe, reliable service.

We also need to ensure that programs and processes are well-established to strengthen economic competitiveness by approving new innovative chemicals and cleaning up environmental brownfield sites.

Administrator Zeldin, I appreciate the steps your agency has taken so far. I look forward to hearing how you plan to build on this progress, how you are prioritizing EPA's core responsibilities and how we can continue working together to support American energy and American jobs.

So I now recognize Ranking Member Whitehouse for his opening statement.

[The prepared statement of Senator Capito follows:]

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

Senator Whitehouse. Thank you, Chairman.

The point of science isn't to have an opinion, it is to make a prediction. Science is society's headlights, predicting what is ahead. What science has unequivocally shown for decades, EPA's recent efforts to dismantle and distort science notwithstanding, is that fossil fuel emissions are disrupting Earth's basic operating systems in increasingly dangerous ways.

As ocean and weather systems go haywire, all the fossil fuel funded faux science will count for naught. Indeed, it will inevitably be exposed as fraud.

Climate change is moving from the science department to the economics department. So the first hits coming are economic hits, from industries that must truthfully predict how climate change will affect their businesses.

One industry that has to predict well is the insurance industry, for both fiduciary and business reasons. Climate risk is blasting insurance markets, and melting down homeowners' insurance. Florida is first and worst. Sixty-four percent of voters in Florida understand their home insurance crisis relates to climate change. Even 44 percent of Trump voters in Florida understand that.

Home insurance costs are exploding. Insurers are leaving

customers. In some cases they are leaving whole States and regions. And predictions are that the cascade goes from climate risk to insurance collapse, to mortgage collapse, to property values collapsing, to full-on recession.

Already, Florida leads the Nation in property value decline. Every increased premium, every notice of non-renewal, every customer dumped into a State plan ties back to the fossil fuel industries twinned operations of climate denial fraud and dark money corruption, operating through dozens of front groups which have blockaded efforts to reduce the underlying climate risk that is driving that whole cascade. Even though they knew, they deployed fraud and corruption to blockade.

Another cost going up for consumers is electricity bills. This is driven in part by the fossil fuel industry's plot to subvert the powers of government to keep inexpensive, clean energy off the grid.

Ask any grid operator. Inexpensive, clean energy runs first on the grid because it is in expensive. As demand climbs, the grid then goes to more and more expensive fossil fuel plants, which raise and raise the grid price and consumer costs go up and up.

The point of the industry plan is to raise consumer costs by reducing clean energy, sending those extra billions consumers must spend to fossil fuel plants and fossil fuel producers. It

is a money pump, deliberately extracting money from consumers and sending it to Trump's big corrupt fossil fuel donors.

The Trump administration persistently lies about the added costs. That is part of what the fossil fuel industry paid for. Administrator Zeldin himself has said, for example, that the wind and solar industries would not exist without government subsidies. But that is simply not true. Coal and gas are more expensive per megawatt hour than wind and solar, even with their \$700-plus billion of free-to-pollute subsidy that fossil fuel gets from the U.S. Government, \$700 billion of subsidy every year.

Well, grid operators don't lie. They run grids. Based on cost, you can see who is less expensive. Or you can take a look at the contracts. Offshore wind will cost 9 cents per kilowatt hour in our 18 cent per kilowatt hour average cost grid. Do the math. Nine is less than 18. Four-year olds know that, and yet the administration lies.

Administrator Zeldin has played a huge part in delivering this payback to Trump's fossil fuel donors, payback in the form of policies driving dirtier air and water, worsening climate change and extreme weather, and driving higher costs for consumers in the form of ever-higher property insurance premiums and electricity bills. From attempting to kill clean energy programs to handing out pollute-for-free passes to fossil fuel

power plants to saddling Americans with increasingly unaffordable gas guzzlers, Zeldin has executed the fossil fuel industry's agenda.

A massive reckoning is coming. Those who sold out for position and power and presumably to be taken care of afterwards by the big polluters, those who lied to the public, those who chose to support the industry interests over the public interest, those who drove consumer costs up on purpose to reward big political Trump donors, all that will be exposed. It is inevitable; it is nature's way.

Indeed, it has already begun. All the climate denial fraud that you helped propagate, all the corrupt dark money your polluter bosses sluiced through this building, none of that will stand against nature's reckoning, a reckoning that is inevitable, as inevitable as a sunrise.

We ignore at our own peril the fact these natural systems, nature's own economy, provide the foundation for our prosperity and our national security. Thank you, Chairman.

[The prepared statement of Senator Whitehouse follows:]

Senator Capito. Thank you, Senator Whitehouse.

This afternoon, we are joined by the Honorable Lee Zeldin, who is the Administrator of the United States Environmental Protection Agency. I look forward to hearing from Administrator Zeldin about the agency's proposed multi-billion dollar budget for the Fiscal Year 2027, and how he plans to build upon the programs and policies that insure the core mission of the EPA is executed.

Mr. Administrator, thank you for being here. But before we move to your testimony, I will administer the oath to receive your sworn testimony. If you would rise, please, and raise your right hand, and answer the following question.

Do you swear the testimony you are about to give to this committee is the truth, the whole truth and nothing but the truth, so help you God?

Mr. Zeldin. Yes, I do.

Senator Capito. Thank you.

Let the record show that the witness answered in the affirmative, so we will now proceed. Administrator Zeldin, you are now recognized for your opening statement. Thank you.

STATEMENT OF THE HONORABLE LEE M. ZELDIN, ADMINISTRATOR, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Mr. Zeldin. Thank you, Chairman Capito, Ranking Member Whitehouse, and members of the committee. I appreciate the opportunity to appear before you today to discuss the President's Fiscal Year 2027 budget request for the U.S. Environmental Protection Agency.

I would like to take a moment to thank many of you for supporting the confirmation of EPA's leadership team, who have wasted no time enacting President Trump's agenda and helping to power the great American comeback.

Marking one year of President Trump being back in office, EPA announced over 500 environmental wins in that first year. We have made enormous strides to tackle the decades-long Tijuana River sewage crisis that has affected San Diego area communities. We are getting lead out of drinking water across the Country. And we are proving you don't have to choose between a strong economy and a clean environment.

This great work is just a fraction of what EPA accomplishes on a daily basis as we continue to fulfill our core mission of protecting human health and the environment.

There are Democrats on this dais who want the EPA to govern in left-wing fantasy, pursuing their agenda to destroy entire sectors of our economy. At the Trump EPA, we govern in reality,

we are committed to supporting more baseload power sources in this Country to meet this moment and unleash energy dominance.

I fulfilled a commitment I made during my confirmation to visit all 50 states as EPA Administrator, and I completed that effort in just nine and a half months. During those visits, I learned how EPA's policies, rules and regulations impacted farmers, small business owners, and our energy providers.

It was exciting to often witness in my travels groundbreaking after groundbreaking, seeing first-hand the projects that are underway to unleash energy dominance, grow our economy, and power the artificial intelligence revolution.

During my visits, I asked, how can we help and where do we need to get out of the way? Everywhere I heard, we need certainty and consistency. The Trump EPA is committed to bringing down costs for American families by ending the whiplash of the radical climate agenda.

The Supreme Court's overturning of the Chevron doctrine made it clear that agencies like EPA no longer have the freedom to creatively bend the law to fulfill the demands of unelected bureaucrats. This paved the way to our greatest deregulatory achievement yet; the rescission of the 2009 Endangerment Finding.

For 16 years, the Endangerment Finding has been the source of consumer choice restrictions and trillions of dollars of hidden costs piled onto Americans. This single decision lessens

the Federal Government's harmful grip over our economy, saving over \$1 trillion and bringing down the cost of new vehicles.

In November, EPA rolled out a proposed rule that would establish a clear, durable, commonsense definition of Waters of the United States, faithfully abiding by the Supreme Court's decision in Sackett. Democrat Administrations have weaponized the definition of navigable waters to seize more power from American farmers, landowners, entrepreneurs, and families.

We heard from Americans across the Country who want clean water and a clear rule. No longer should America's landowners be forced to spend precious money hiring an attorney or consultant just to tell them whether a Water of the United States is on their property.

As we work to protect human health and the environment, grow our economy, and restore America's energy dominance, EPA has taken several actions to bolster domestic energy production. In February, we took steps to end Democrats' war on coal by repealing the Biden administration's overly burdensome 2024 Mercury and Air Toxics Standards amendments. The rule imposed massive costs and red tape on coal- and oil-fired plants, driving up the cost of living for American families, jeopardizing our grid reliability and national security, and limiting American energy and manufacturing dominance.

Having reliable energy production not only provides lower

costs for American families but ensures national security. The President's Fiscal Year 2027 Budget will continue to make EPA efficient and effective stewards of Americans' hard-earned tax dollars and fulfill all our statutory obligations and our core mission.

This budget proposal captures significant efficiencies and a returned focus on what Congress has directed us to do, demonstrating our commitment to a leaner, more efficient, and accountable EPA focused on environmental work that directly benefits the American people.

The budget supports and aligns with President Trump's goal of rightsizing the Federal workforce, with a staff not one more or less than what is necessary. We will continue working each and every day to deliver an EPA that works to empower the American people while protecting our Nation's air, land, and water.

I look forward to answering all of your questions. Thank you.

[The prepared statement of Mr. Zeldin follows:]

Senator Capito. Thank you.

I will start the questioning. Thank you for being here. All the comments this far have talked about the urgent need to generate more electricity. The past administration's power sector strategy was to shut down baseload energy availability and our Nation is facing an energy scarcity. People talk about it all the time, and know that it is a reality.

This strategy consisted of a half dozen rules at EPA, including Clean Power Plan 2.0, that went beyond the agency's regulatory authority, which you addressed.

Will you discuss your efforts to repeal the Biden EPA power sector strategy, and how that will lead to more affordable, reliable electricity while continuing to protect public health and welfare?

Mr. Zeldin. Thank you, Chairman. What we saw, especially toward the end of the Biden administration, was an attack with many rules seeking to strangle coal out of existence, telling your coal miners that they should just learn to code. We understand how important coal is to your State, and many other States appear on this dais.

The 2024 Mercury and Air Toxics Standards have been repealed. We still have the strict 2012 standards that were working and have significantly reduced mercury and other emissions. We are working to repeal Clean Power Plan 2.0.

Efforts with regard to steam electric ELG, coal combustion residuals, giving primary to States on the handling of CCR.

As I mentioned with our new Waters of the United States rule, with our new water re-use action plan 2.0 and more, we are rolling back that attack that we saw on coal and other sources of power.

Senator Capito. If I could, I think it is important to emphasize at this point that the Clean Air Act and the Clean Water Act written by Congress, all of what you are doing here falls within the boundaries of what we have directed you to do, is that correct?

Mr. Zeldin. Yes, ma'am.

Senator Capito. Thank you.

In the Working Families Tax Cut we signed into law, we repealed Section 134 of the Clean Air Act to eliminate the Greenhouse Gas Reduction Fund. I think it was \$17 billion. It is in litigation right now. And I was curious to know, we supported the grant cancellations through the passage of the Working Families Tax Cut, total waste of money. These are unobligated.

I understand there is legislation pending. If the courts affirm that Congress has rescinded the \$17 billion, do you commit to quickly returning these funds to the United States Treasury?

Mr. Zeldin. Enthusiastically.

Senator Capito. Thank you.

I want to talk about PFAS. You and I have talked about this before. You know it is a concern I have. It is a concern around the Country. And we haven't been able to really reach a Congressional, a point at which we can agree here as to how we might be helpful.

Under CERCLA's strict guidance, and their retroactive liability structure, we are not sure that passive receivers, that would be small water companies, it could be ag people, it could be anybody else who is sharing water resources, there is a concern that they may be on the hook to pay for any kind of cleanup.

While we work for a solution, can you tell me what EPA has done? I know you have several authorities, and an existing settlement and allocation tools under CERCLA. Are you using those authorities? How are you using them, and how successful have they been?

Mr. Zeldin. We believe strongly that the polluter should pay, and that the ratepayer shouldn't be on the hook for cleaning up PFAS contamination of their own water supply. We had a choice as to whether or not to pursue CERCLA or RCRA. Neither of these two laws were written with PFAS in mind. And unfortunately, the cost of cleanup is passed down from that

water system, thousands across this Country, who would be giving it to their ratepayers.

So we look forward to being able to work with Congress to be able to address this issue with regard to CERCLA. We have been in contact with stakeholders. There isn't a liability settlement that I am here to report on, and a Congressional solution would certainly be an idea to address the passive receiver status.

Senator Capito. Safe drinking water, which involves the State revolving funds, all of our States, particularly those that are still small and remaining communities that don't have satisfactory service, they are limited in their financing options. It is very difficult. This is a critical program for them.

Will you commit to working with States to implement all funding that Congress provides from the SRS in future authorizations and appropriations?

Mr. Zeldin. Yes, Chairman.

Senator Capito. Thank you.

Senator Whitehouse?

Senator Whitehouse. I am going to let Senator Sanders proceed first, because he has a scheduling issue. I will swap with him.

Senator Capito. Before we go to Senator Sanders, really

quick, sorry, Senator, I would like to make a UC request for submission for the record an article written by the Washington Post, EPA's Right to Reverse Obama Overreach; another UC request for submission to the record, Wall Street Journal article, Climate Regulation Liberation Day, the Trump EPA Moves to Appeal Obama-Biden Endangerment Finding; and lastly, unanimous consent to enter into the record an article, RealClear Energy, America's Power Needs, Coal and Common Sense.

Thank you.

[The referenced information follows:]

Senator Sanders. Thank you, Madam Chair. Mr. Zeldin, thanks very much for being with us.

I want to focus on one issue. I am glad that you mentioned your desire to bring down costs in America. Unfortunately, you have not been succeeding. Costs are going up in many aspects of our economy, especially in terms of electricity rates. As you know, all over the Country, people are paying higher and higher electric bills.

Now, there are a lot of reasons for that. But one of the possible solutions is for us to make certain that low-income and working class people have solar panels on their rooftops. As you well know, when one has solar panels on a rooftop, we can reduce electric rates by 70, 80, 90 percent. It is a big deal. Not to mention that it takes carbon emissions out of the atmosphere and helps us address climate change.

As part of the Inflation Reduction Act, I got a provision in there called Solar For All, I suspect you are familiar with that. It is a \$7 billion program which would reduce electric rates over a period of years for millions of low-income and working class people rather substantially.

Unfortunately, and I think illegally, the Trump administration rescinded that legislation. So what I am asking you right now, you talk about lowering costs, we need to put solar panels on rooftops. If we are concerned about climate

change, we need to cut carbon emissions.

Will you work with me to make sure that that \$7 billion for Solar For All, and by the way, the grants that are coming to the EPA, as you probably know, are from dozens and dozens of States, Republican States, Democratic States, all over this Country, people want lower electric rates. They want to protect the environment. That is what that bill does.

Will you work with me to make sure that that \$7 billion actually is funded and gets out to the States?

Mr. Zeldin. Senator, the issue is that Congress has rescinded the entirety of that program, as well as rescinding the money for EPA to be able to oversee the program. Now, if Congress was to pass this again in the future, we will then do our job to get the money out. But now we will respect the decision that Congress made last summer in repealing it.

Senator Sanders. You are suggesting that the so-called Big Beautiful Bill repealed it, is that what you are suggesting?

Mr. Zeldin. Not only did it rescind the account, it also rescinded the account for us to oversee --

Senator Sanders. First of all, it did not rescind Solar For All. And if you are sitting here telling us that when we have a program that could lower electric rates for millions of people, help clean up the environment, that you can't find a small amount of money to provide oversight to this program I

think that is not quite credible, to be honest with you.

Mr. Zeldin. Yes, Senator, I, maybe we don't share this concern, but what I was really concerned about when I came in was I found that the way that the Solar For All program was going to be implemented was that they were going to have the money go through up to four different pass-throughs, where each of the pass-through entity was going to collect at least 15 percent.

So the dollar that you think was appropriated to be spent on the backend had to go through up to four pass-throughs where they are each diluting it. Just so, from a standpoint of being fiscally good stewards, if we ignored the fact that Congress rescinded the program, if we ignored the fact that they rescinded the money to oversee the program, I would hope that we would be equally offended by --

[Simultaneous conversations.]

Senator Sanders. Good. And then the answer would be that you would come in, chat with me as the author of the bill, say, Bernie, how can we make it more efficient? We don't want to waste money on administration. I hate bureaucracy, as a matter of fact.

That is not what you did. You took away the opportunity of millions of people to see lower electric rates. I hope that we can work together to bring that back.

You want to make the program more efficient? Come on in, let's chat about it. Is that something you could do?

Mr. Zeldin. Senator, I would be happy to sit down and talk to you about the program and what we found with the inefficiencies of it. But what we also can't ignore is the fact that as part of the One Big Beautiful Bill, the Working Families Tax Cut, they rescinded the \$7 billion.

Senator Sanders. They did not. That is just absolutely inaccurate.

Thank you very much.

Senator Capito. Senator Cramer?

Senator Cramer. Thank you, Madam Chair, and thank you, Administrator, for being here.

I have to go back to some of the comments that Senator Whitehouse made, while I think true, I think a little incomplete. So I want to ask you a couple of questions about the preference of renewables on the grid, because of their low marginal net, nearly net zero marginal cost per kilowatt hour. I think he used the number 9 cents out of the average 18 cents.

Do those, and I know you are not the rate maker, but I think you understand this stuff, and I am wondering if his 9 cents, do you think that includes the 2.3 cent per kilowatt subsidy that the taxpayers paid for production tax credit, or does it include, do you think the 30 percent investment tax

credit that the utility or the producer had to invest before they could even generate this zero cost energy? Do you think those prices include that?

Mr. Zeldin. Respectfully, Senator Whitehouse's math is extremely wrong.

Senator Cramer. Well, it may be right in terms of what he is including. But I don't believe it includes all these other high costs by taxpayers, who by the way are also ratepayers. See, we spend a lot of time talking about rates, but not real time talking about costs. Because near as I can tell, taxpayers are ratepayers as well.

Okay. How about this? Do you think that it also includes, or does it leave out, the additional investment that a utility has to invest to back up the wind, when it doesn't blow the other 70 percent of the time? In other words, you have to have a backup that is more reliable. Do you think it includes, his math, those costs?

Mr. Zeldin. There is no way to explain his math.

Senator Cramer. Okay, well, sticking with this preference on the grid thing, again, net zero, marginal costs, you would be crazy if you didn't put it on the grid first, if you are already stuck with all the investment costs and the taxpayer costs and all those things.

And so that I understand. And that is part of the rate

structure. But isn't it true that there are regions and States that add regulatory or legal mandates that require that less reliable energy to be on the grid first before they then go to the much more reliable extra cost electricity that goes on the grid?

Mr. Zeldin. Senator, it is not a coincidence that the ten States that have the cheapest rates across the Country voted for President Trump, and nine of the ten with the highest rates voted for Kamala Harris. That is not a coincidence.

Senator Cramer. Well, as a former rate maker, let me tell you, I know this topic pretty well. If we are going to have an honest discussion, we have to put all the costs on the table.

All right. That said, let's get back to WOTUS for just a minute. First of all, thank you, and to your team, for having the first listening session on Waters of the United States out in the prairie pothole region of North Dakota. I think there was a lot of great feedback.

One of the things that was interesting to me, that I did not expect, frankly, at that listening session, was then when the president of the homebuilder's association testified after a question that the surveying and studies that they have done showed that the cost of a lot due to Waters of the United States, in certain areas, increased \$25,000 per lot for a home before a shovel went into it.

Now, does that not seem like a cost issue or an inflationary issue that could certainly have been relieved by a better rule?

Mr. Zeldin. Absolutely. There are landowners, farmers, ranchers, there are entire States who have come to us, they have done the math, and the impact of the way the Waters of the United States was defined previously results in a heavy cost to be able to hire an attorney or a consultant to tell them whether it is a Water of the United States. And that great uncertainty has caused a lot of issues across the Country. And that is what we are working to fix.

Senator Cramer. So while you are working to fix it, in the remaining seconds, maybe give us an update on that exactly. I know that one of the things I hear, a couple of the things I hear a lot about from people about the proposed rule is terms like significant nexus, wet season, are a little bit vague and probably similar to Federal nexus.

Can you give me an update on definitions and the process and is there a way we could sort of tighten some of that language up?

Mr. Zeldin. We have been going through all the public comments. Grateful for everyone across the Country who participated in the process. We encourage the public to participate when we go out to the public comment, and that

included Waters of the United States. And we have heard this feedback much more and we are incorporating it.

Senator Capito. Senator Whitehouse?

Senator Whitehouse. Mr. Zeldin, my colleagues around this table are closing in on an election in which the Trump administration's household cost catastrophe will be central. And you have been on a polluter-funded rampage to increase Americans' costs. Stuff should cost less; you are making lots of stuff cost lots more.

You have raised costs for Americans. You have done so to steer their money to your big polluters. Your attack on clean energy raises costs for consumers. But it sends billions to your fossil fuel polluters, Trump's big donors.

Trump's attack on offshore wind stalled 9 cent per kilowatt hour power, contract number, no math, getting to my constituents who work in an 18 cent average kilowatt hour grid. Every single day that that 9 cent power was delayed steered money from consumers' pockets into the pockets of expensive natural gas units, units that the clean offshore wind energy would have displaced.

You will at least concede that 9 cents is less than 18 cents, will you not?

Mr. Zeldin. Well, 9 cents is less than 18 cents --

Senator Whitehouse. There you go.

Mr. Zeldin. However, in this context, your math --

[Simultaneous conversations.]

Senator Whitehouse. Your rampant climate denial and your refusal to address climate change --

Mr. Zeldin. Your math is inaccurate. Would you like to talk about it?

Senator Whitehouse. -- is driving home insurance rates skyward, setting new records in States like Iowa, Florida, and Texas. Those costs are cascading from a home insurance crisis into a mortgage crisis, into a property values crisis. But the big winners, getting to pollute for free, are your fossil fuel polluters, Trump's big donors.

Is EPA looking at all at Florida's climate-driven insurance crisis?

Mr. Zeldin. So to be clear, everything about the 9 cents, all you want to ask me is whether 9 cents is less than 18 cents?

Senator Whitehouse. I have a new question now.

Mr. Zeldin. No, just so I am understanding, this is really the issue --

Senator Whitehouse. Okay. You don't want to answer my question. I will move on to the next one.

Mr. Zeldin. If I am tracking right --

[Simultaneous conversations.]

Mr. Zeldin. -- all you want to know that 9 cents is less

than 18 cents. You don't actually want to talk about the issue.

Senator Whitehouse. You already answered that. Now you are just wasting my time.

[Simultaneous conversations.]

Senator Whitehouse. -- will drive up the cost of Americans' gasoline budgets. Your own regulatory impact analysis put the net loss to consumers at \$180 billion, but with a minimum, minimum \$580 billion bonus for big oil at the pump. All those billions go to your fossil fuel polluters, Trump's big donors. Those are your numbers, Mr. Zeldin.

You also made it easier to pollute with soot. Soot, which will cost Americans tens of billions in added health care costs, all to save about \$600 million in compliance costs for your fossil fuel polluters, Trump's big donors. You stopped EPA even counting health harms in your cost benefit analysis, didn't you?

Mr. Zeldin. I am still stuck on the fact that all you are asking me so far --

[Simultaneous conversations.]

Mr. Zeldin. -- 9 is less than 18.

Senator Whitehouse. You didn't answer that question, either. You attacked the Greenhouse Gas Reduction Fund --

Mr. Zeldin. You want to talk about what an LCOE is?

Senator Whitehouse. I get the time here. I get to ask the questions. You attacked the Greenhouse Gas Reduction Fund,

potentially costing consumers \$52 billion in lost energy savings, let alone the health benefits of cleaner air. But that \$52 billion consumers lose will flow where? To your fossil fuel polluters, Trump's big donors. Ditto the Solar For All funding that you attacked, trying to strip Americans of \$350 million per year in expected energy savings, billions over time, those lost savings go where? To your fossil fuel polluters, Trump's big donors.

You even set up a special polluter email address that gave polluters a drive-up window for exemptions from the Clean Air Act, helping them keep 70 polluting coal plants online. One estimate is that just six of those plants have already cost ratepayers an extra \$230 million in costs in less than one year. And indeed, one plant in Michigan has already cost Michiganders \$600 million in excess health costs. That is money out of consumers' pockets and into the pockets of your fossil fuel polluters, Trump's big donors.

Mr. Zeldin. Can we talk about your math yet?

Senator Whitehouse. Are you even tracking the consumer costs of those coal plants?

Mr. Zeldin. We are going to get to talk about math?

Senator Whitehouse. Are you even tracking the consumer costs of those coal plants?

Mr. Zeldin. Oh, no, this is great. So I don't even know

where to start with all the messed up math.

Senator Whitehouse. Answer the question. Are you even tracking the consumer costs of those coal plants?

Mr. Zeldin. Of course, yes. And costs are going down across the Country, we are looking at EPA's --

Senator Whitehouse. Where are you tracking the consumer costs of those coal plants?

Mr. Zeldin. When you look at EPA --

[Simultaneous conversations.]

Mr. Zeldin. Are you kidding me? Coal plants even staying open? You think that the math is it is better for West Virginia if you close down their coal plants and put these people out of work and tell them to learn to code? According to you, in your mind, that is saving West Virginia?

[Simultaneous conversations.]

Senator Whitehouse. -- that is raising costs. We know it is raising costs.

Mr. Zeldin. Is it saving them on energy access? Is it saving them on jobs?

Senator Whitehouse. You can talk across me all you like. You are raising costs.

Mr. Zeldin. Raising costs.

Senator Whitehouse. You are raising costs on purpose, because the money that you get when you raise costs on consumers

goes to Trump's big fossil fuel donors.

Mr. Zeldin. We don't close down coal --

Senator Whitehouse. My time is up.

Senator Capito. I am not sure we are going to get anywhere with that.

We will go to Mr. Curtis.

Senator Curtis. I would desperately like to change the subject. Administrator Zeldin, let me just ask you, and a very quick answer. If we had a magic wand and we waved it and we unplug every single fossil fuel source across our planet now, give me 30 seconds of what the world would look like.

Mr. Zeldin. I tell you, for us, domestically, it would be absolutely devastating. And fortunately, we don't have to be naïve to the math that Senator Whitehouse is using. He likes to look at a levelized cost of entry. He is not factoring in firming. He is not looking at the ISO's net cost of new energy. And when you factor in firming and all the additional costs, they start skyrocketing.

And you realize that all sorts of access to fossil fuels, that they rail against are actually cheaper, whether it is the gas combined cycle, whether you are talking about the gas that is already online, the nuclear that is already online. He wants to use a very small number to say that wind is the cheapest and solar is the cheapest. He wants to ignore all the firming

costs. His math is screwed up.

For the rest of this Country, as we saw through many, many weeks of very cold temperatures, thank God that people, when the sun stops shining, when the wind stops blowing and when it is freezing over the course of that winter that they had access to reliable, durable baseload power. And thank you to the Republicans on this dais for your advocacy and your application of reality to make sure that all these Americans are able to stay warm. Because they would have been in a really screwed up position if they were following Senator Whitehouse's approach towards forcing jamming everyone with wind and solar and putting away all their access to reliable baseload power.

Senator Curtis. I would take an hour of this, but I get five minutes, so I am going to shift gears just a little bit. First of all, when you mentioned you had been to 50 States, I was surprised. Because I know you came to Utah. If you spent as much time in all 50 States and got into issues as much as you did in Utah, that is outstanding. Thank you for your visit. Thank you for meeting with my legislators and for the good work you have done there.

As you know, part of our challenge in Utah is this atmospheric conditions that we have that just make us unique and different. We have made, I would suggest, more changes to improve air quality than any other States. But just the game,

the rules of the game have been problematic for us. Thank you for your involvement in that.

Now, if I could just switch issues just real quickly, the 2027 budget justification prioritizes the review of new chemicals, PMNs. I appreciate your goal, literally the goal of conducting risk assessments and making affirmative determinations on more than 500 new chemicals. I think that would be about 499 more than the last administration. Maybe even 500. So thank you for that.

Can you walk us through the steps the EPA is taking to meet that goal? It is an aggressive goal, including case discussion meetings within 30 days, receiving the request and how investments in AI and other innovation have been helping you?

Mr. Zeldin. Well, on that front, I want to thank Congress, appropriated \$17 million in March of 2025 to upgrade IT inside of that office. When the systems go down for weeks at a time, everything is stopping, and then you have a backlog that starts increasing.

We inherited a new chemicals backlog of about 500 or so. We did 58 new PMNs just in the first three months of this year. On top of that, when we did our agency reorganization last year, we increased the amount of FTEs, the amount of scientists inside of the Office of Chemical Safety. That reorganization and the streamlining of the process, the efficiencies that had been

added, have allowed us to, for example, get those 58 new PMNs done.

We project that we will do more PMNs in 2026 than each of the last five years prior.

Senator Curtis. Thank you. I want to point out the impact that that program has on innovation, pushing jobs. If we don't do it, push those jobs offshore. Plus the fact that many of these chemicals are actually far better for the environment. When we don't get them approved, we are forcing companies to use these chemicals that we know are worse for the environment.

Can you also elaborate on, I know part of this is communicating with the submitters. So talk to me about the process that we are approving, of communicating with the submitters to make it smoother for them, more predictable in their review process.

Mr. Zeldin. Well, sure. One of the things that was adding a lot of time was the hundred steps that have to get done sequentially. It is just a no-brainer to start to move this stuff efficiently, at the same time, at once as much as possible.

Congress is going to have an opportunity, as the TSCA fee expiration approaching toward the end of September. We would look forward to being able to share our feedback and work with you, Senator, on that.

Senator Curtis. Yes. I am just going to take a couple more seconds to pick that line up. What I would like to know, and if we don't have time, what priorities should Congress be focusing on so we can improve the program to make sure what we are approving, the new TSCA, is more efficient?

Mr. Zeldin. Sure. I will definitely be happy to whether it is in QFRs or separately with your office, like to talk to you about Section 21 petitions, like to talk to you about the Section 6 prioritization process. There are a lot of details that could be incorporated in the development of new legislation.

Senator Curtis. Good. And thanks once again for your attention to Utah's issues.

Mr. Zeldin. Thank you, Senator.

Senator Capito. Thank you.

Senator Padilla?

Senator Padilla. I have a question for Senator Curtis. Has he spent much more time in Utah as he has spent in California?

[Laughter.]

Senator Padilla. I appreciate your attention and support for the improvements in and around the Tijuana River, number one. On another positive note, I want to thank you for having worked with local officials, city and county folks, after the

fires in the Los Angeles area last January. Both the Palisades Fire and the Eaton Fire, more specifically, they were the largest of the footprints.

The response and the aid in the aftermath was good, was helpful, was good, was necessary. But as you know, there is still disaster aid pending as the community is trying to rebuild. It has been more than a year.

So I am wondering if, on behalf of the administration, you know when we might expect that supplemental request for consideration by Congress?

Mr. Zeldin. Well, I know, Senator, that there was a meeting that I have heard nothing but positive feedback from, from both the White House as well as Mayor Bass, County Supervisor Barger. That meeting last week, I would imagine, was felt universally as a good conversation to talk about insurance, to talk about banking, and to talk about potential Federal aid.

Some of this is a request with FEMA that might not require a new act of Congress. Part of this might be CDBG DR funding that will require, I believe that the OMB director was in that meeting as well.

I also am under the understanding that there has been follow-up conversations as well. And --

Senator Padilla. I hate to cut you off. I do want to get to other issues. Do you have a timetable, weeks, a month?

Mr. Zeldin. I don't have a timetable. I have been focusing on EPA's budget. But I am happy to continue to help however possible on any front related to the LA rebuild.

Senator Padilla. I appreciate that.

Now, turning to another issue or concern of delays, I would ask for your assistance in finalizing some long-delayed WIFIA loans for California water projects. As you know, WIFIA was initiated in the first Trump administration, when it was thought to be better for taxpayers to support communities and projects in the form of loans as opposed to grants.

EPA told at least three California applicants, the City of Hayward, Las Virgines, and Valley Water, that their loans were on track for approval on specific dates between 8 and 12 months ago. And as they were approaching those very specific dates that they were given, they were then notified that their applications were postponed indefinitely.

So I am happy to supply you the specifics behind those applications and those projects, but can I count on you to help me get those WIFIA loans finalized and done?

Mr. Zeldin. I am happy to check up on that. I will be in the office tomorrow and I will ask our team what the status is.

Senator Padilla. I appreciate that.

And the last category, in my couple of minutes left, as you know, California is no stranger to polluted air. I grew up with

it in Southern California, so I know it first-hand.

State and local regulators have done everything they can to bring emissions down in every sector within their jurisdiction. The largest area to tackle here are emission sources that are in Federal jurisdiction. So we have been working feverishly to try to get the Federal Government to do its job or conversely, allow California to continue to push the envelope as we were able to do through the waivers granted by the Clean Air Act, authorities that the State of California had but no longer has because they were taken away by the Republican majority in Congress last year in response to this waiver being declared some sort of rule that can be overturned.

We can have the CRA debate separately, but what I want to know is, the bigger picture, just to set the tone here, when you came in, you promised the cleanest air in history. Do you believe the air in Los Angeles, the air across the Country, is cleaner than when this administration started?

Mr. Zeldin. Yes, I have seen over the course of, with the, over the last few decades, the last couple of decades --

Senator Padilla. I am talking about just this last year. Just this last year.

Mr. Zeldin. Yes, primarily I would give credit to the advancing technology that we have seen across this Country and decisions that private actors have made. We have also started

approving State implementation plans that were very much backlogged as well. I believe that that is also part of that process.

I would point out, I know this is an important issue for Senator Kelly and for Senator Curtis, but we took down the guidance on 179(b) on the international sources of air pollution, so that we are not putting an area into non-attainment for sources that are outside of their jurisdiction. California is another example where a lot of the air issues that you are experiencing there are actually coming from international sources.

Another topic where, even though there might be conflict and disagreement on other aspects and policy approaches, it is another area we might be able to work together.

Senator Padilla. I certainly hope so. There is a whole playbook there, electrification of our port infrastructure, railroad infrastructure, emerging locomotive technologies that we are happy to support, the hydrogen hub.

In California, the Federal Government has defunded, while there has been this ample push through the Department of Energy and Department of Interior on fossil fuel sources of electricity and not the renewable sources, California has led on a couple of battery storage, improving resiliency, bringing down costs, reducing emissions.

There is a lot more we can do. We need your support.

Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Wicker?

Senator Wicker. Thank you, Madam Chair.

There are four things I want to mention just briefly, Mr. Zeldin, two by way of thanks. Thank you for EPA Region 4's help with detection of TCE contamination in the Byhalia area, I mean, in the Byhalia area of South Mississippi.

Also, very much appreciate EPA's work on Jackson Water, the transfer of \$54 million into the operation account was a critical step for something that has been going on for a long time.

Also, I want to mention this. And you and I have a difference of opinion on this. EPA, last August, issued decisions on small refinery exemptions, SRE, some dating back to 2016, of course, you were not in office back then, granting some exemptions, some partial exemptions and denying some.

The statute says that EPA must act within 90 days on getting back with regard to SREs. I hope you can assure us that going forward, you will be making those decisions in a timely manner.

Mr. Zeldin. Senator, that is so very important. As you just pointed out, we inherited a backlog of 175 small refinery

exemption requests. So getting through all of them at once last August was a many-month process that started actually the moment that we got in.

There have been some new SRE requests that have come in since then that we are working through right now expeditiously. We want to, we are also starting to work on RFS Set 3 already. So as far as this whole program goes, being able to catch up and have certainty and reliability for you and your constituents is an important goal.

Senator Wicker. Very good. And so I have three minutes left. Let me just say, I wish that in this room we could acknowledge that there is room for honest disagreements of opinion on the science that we have been talking about today. Senator Whitehouse and I have been friends for almost two decades. And there are people in this room that are so convinced of the accuracy of their point of view that they somehow feel that if you disagree you are up to villainy.

I wish we could get away from that. I don't think it is helpful to say that the only reason a decision could be made is to help the President's rich friends or wealthy donors or fossil fuel polluters. And at this point, I want to give you the next two minutes to say what you were trying to say to a number of questions that you were not given time to respond to.

Mr. Zeldin. You know, I appreciate that a lot, Senator.

And when predictions are made in the past, science will have a range of the pessimistic to the optimistic. And in order to justify, for example, the 2009 Endangerment Finding, they were adopting the most pessimistic views of the science.

Now, when you get to 2026, great news, you are able to rely on present-day facts in 2026, rather than any bad assumptions from 2009. And just because you take exception when a member of Congress says in January of 2019 in 12 years the world is about to end, yet we are sitting here today saying, well, gosh, it is only four years and nine months left, I don't think the world is about to end. They want to vilify you as if you are denying science.

I mean, I just saw a clip yesterday where Al Gore was talking about global freezing. I am having trouble keeping up. I thought it was global warming and now it is global freezing. And I don't know what kind of money is made, making money off of a climate gift. Well, what won't get referenced by your colleagues on the opposite site of the aisle who bring up the Greenhouse Gas Reduction Fund is that the money was going to former Obama and Biden officials. The money was going to Democratic donors.

The conflicts of interest that we saw, the amount of self-dealing, the unqualified recipients, Climate United Fund's CEO was a special assistant in OMB during the Obama-Biden

administration. They received \$6.9 billion. We could go down the list with that, and today go through the Coalition for Green Capital about a Biden-Harris climate advisor serving on the board of [no audio] joining the board in 2023, while the organization was applying for GGRF. Power Forward Community's CEO, the CEO of Fannie Mae during the Obama-Biden administration.

By the way, if we had 10 more minutes, I could just go through conflicts of interest. They are not offended by that.

So we just want to stick to the truth. We want to stick to the science. And if you don't agree with them, you don't follow their logic, well, they will want to vilify you. But as long as we stay true to these facts, it is good to go.

And I am not going to take morality lessons from people who join all-white country clubs.

Senator Wicker. Thank you, Madam Chair.

Senator Capito. Senator Blunt Rochester.

Senator Blunt Rochester. Thank you, Madam Chairwoman, and Ranking Member. I also want to thank Senator Kelly for giving me the time. And thank you, Mr. Administrator, for being here as well.

Almost 12,000 schools in the United States are within one mile of chemical facilities, and one in three children go to a school in a chemical zone. Could you talk to us a little bit

about what you have done over the past year to address this issue, and what you are proposing in this year, your proposed budget, to protect children?

Mr. Zeldin. Well, it is a really important topic that has to be considered as a factor when making decisions that are in front of the agency. There are, there might be a chemical plant that might have some level of fenceline emissions. And you have to get the data on that fenceline emission.

You have to analyze that as far as exposure level. You have to look at what exposure level to that chemical ends up causing adverse health impacts. You have to look at that unreasonable risk to workers, to, as you are pointing out, the general population, to the environment. And then you have to make a decision based on the science, based on best available science, and do a complete risk assessment, which is a four-step process.

Senator Blunt Rochester. I am glad you mentioned fenceline communities. Because I think we maybe had this conversation even in my office a year ago. And I am really concerned that the data, is the point that you mentioned, is really necessary. I know that, it is my understanding that the EPA has proposed a rollback of the 2024 Safer Communities By Chemical Accident Prevention Rule, which would undercut the risk management practices that make it easier for the public to find out

information about chemical facilities in their communities.

It is my understanding as well there was a website, one of your websites, the RMP website, and it had a part of the page that said, "How to access risk management plan information." Really just a way for people to get information. But right now it says the page is being updated. And it has been that way for a while.

I am not sure if you are familiar with that particular page, but if not today, will you please provide us an update on the page, when you think the page would be back up and running, and how to make sure that these communities can get information?

Mr. Zeldin. I am happy to check on the status of that web page, and we will get right back to you.

Senator Blunt Rochester. Okay, thank you.

I also believe that it is critical that Americans have this information, that they know the risks, that they know the steps to take to protect themselves. That is why there is kind of a disconnect. So to the extent we can, I know we talk a lot about transparency, to the extent that folks can have access to that information, I think it would be a good thing.

I also wanted to take onto Chairman Capito's remarks about drinking water. Just this week, I had the opportunity to meet with county executives, county council people in my State. There was a lot of concern that the President's budget

eliminates nearly all funding for the Clean Water and Drinking Water State Revolving Funds, the primary source of water infrastructure funding in our Country.

Your agency estimates a funding gap of \$625 billion over the next two decades for drinking water infrastructure alone. Wastewater adds another \$271 billion. And in my small State, we could lose \$90 million in cuts to SRFs.

States really can't afford this. That is what they shared with us. And especially when we are talking about rising costs, whether for food or gas or anything else, people can't afford one more higher bill.

So I would love to ask for your commitment to working with us to support our State Revolving Funds.

Mr. Zeldin. Yes, absolutely. And we will make sure that we are able to work closely with each of you. This includes, by the way, your Congressionally directed spending. Without opining on the merits of any of these individual requests that you make, I will just say that that is the main reason why it hasn't been as revolving as maybe originally intended.

But that is something that is very important for us to be able to engage at your office on as far as getting that money out.

Senator Blunt Rochester. Yes, I think you brought up the Congressionally directed spending. I think the good thing about

that, it happened while I was in the House, and I think you were in the House at the same time, that was bipartisan. It was a bipartisan decision. We are all making sure that our constituents get the support they need. But this revolving fund, according to the folks in my State and my counties, is crucial. So I am looking forward to working with you.

I yield back.

Senator Capito. Thank you.

Senator Husted?

Senator Husted. Thank you, Madam Chairman. Mr. Zeldin, I wanted to first of all thank you and your team for the work that you have continued to do in East Palestine to help folks there who are still monitoring the situation from the train derailment. You and your team have been fantastic. So I want to thank you and make sure that people there know that they haven't been forgotten.

I also love the conversation that we have, because we have heard a lot in this committee about energy prices. And from my economics background, I believe that supply and demand really is what drives prices more than anything. If you have high demand and low supply, what is going to happen to the price? It is going to go up.

And I also have always been somebody who has believed in an all of the above strategy on energy. If in Rhode Island

windmills make sense, great. I know that when I talk with our grid operator in Ohio about solar in January, they said there are some days that it doesn't create anything. There is no energy that comes from it. Which means that you can't have days off, so you have to build all of that additional infrastructure to be ready on the coldest day of the year when the sun is not shining. And that is a fixed cost, whether you have solar or not, you still have to pay for all of that, the ratepayers have to pay for all of it.

And so, we need, as I understand, more generation to meet supply and demand, more transmission lines. Gas pipelines, everything, all of this infrastructure that we all could do as Congress to make it easier to drive down the prices, make sure people have the kind of energy mix that they want. But we have made it harder, because we haven't gotten permitting reform done yet.

How important do you believe permitting reform would be to achieving all the goals of the members of this committee?

Mr. Zeldin. I think it is a very big opportunity to modernize the Clean Air Act. There is opportunity to the Clean Water Act, with NEPA and more. And I think that one way to approach negotiations would be to pursue a bill that results in a permitting process that takes less time, costs less money and has more certainty.

It is very easy to make a good bill bad by injecting one idea that compromises any of those three. We have no shortage of ideas. We would love to be able to work with this committee in that process. There is a big opportunity with permitting reform and the Senate EPW committee can absolutely lead the way. I know how important this is to your chairman.

Senator Husted. Yes. Well, I was taking a look at Ohio's electricity supply the other day. And I saw that during the years of 2000, during the Obama administration, during the Biden administration, we are a State that uses 18 gigawatts of power a day, it is like peak demand. And 11 gigawatts of power were taking off of, shut down during that time period. I mean, talk about creating a supply and demand problem.

And I know that we collectively as a Nation aspire to lower carbon energy outputs to deliver affordable, reliable electricity. But nuclear, how, as we are looking to say, hey, we want to look at nuclear to replace some of these baseload operations, how important is permitting reform to getting that accomplished?

Mr. Zeldin. It is extremely important. I understand, you know, Ohio is no stranger to nuclear.

Senator Husted. Yes, we have operations enriching uranium, building small modular nuclear reactors.

Mr. Zeldin. We had a request that came in to us to build a

small modular reactor in Tennessee that came to us November 24th, and we completed the process on December 1st. Now, at the Biden EPA, that might have taken three years. At the Trump EPA it took eight days.

We have the power to really slow things down. We also have the power to speed things up. And not to be biased, but there has been a whole lot of, you heard a little bit from Senator Padilla as far as our travels and efforts inside of California. The amount of work with Senator Kelly and the Congressional delegation in Arizona on non-attainment issues in Maricopa, and elsewhere around the State.

There is a great opportunity for EPA to be able to engage with members of this committee to be able to achieve important efficiencies that are available. And that includes on the permitting reform front.

Senator Husted. Yes, well, I just want to conclude by just talking about how important this is. Because if we want to do more made in America, make more steel and more manufacturing, we want to lead in AI and the digital economy, it is going to require more electricity. Clock is ticking, time is money. If we want to really make things more affordable, we have to get this accomplished.

Thank you for being here.

Senator Capito. Senator Kelly?

Senator Kelly. Thank you, Madam Chair.

Administrator Zeldin, thanks for being here. I want to discuss rules that limit hazardous air pollution.

During your confirmation hearing, you said that the EPA's mission is, and this is a quote, "simple but essential, to protect human health and the environment." Now, there can be times, and we discussed this, in Phoenix, you just mentioned non-attainment, when the rules and science are a little bit uncertain, and the rule book says some action needs to be taken that may not make sense. I agree.

But that is a rare exception. Sometimes the answer is pretty clear-cut. Take what is happening in the town of Miami, Arizona. It is a small mining town about 90 miles east of Phoenix. Freeport-McMoRan, the mining company, operates a smelter there. And this smelter emits 12 tons of lead and 3 tons of arsenic into the surrounding community every year.

That smelter is located about a mile from an elementary school. And it is less than a half mile from a church and a residential neighborhood. Here you can see the elementary school, the swing. That is the smelter in the upper left hand corner.

We know what lead does to kids. Mr. Zeldin, I imagine you would not want your kids attending that school. I wouldn't want mine there, or going to that church.

Accordingly, under EPA's National Emissions Standards, the facility was required to install a pollution control device called a baghouse. That would reduce toxic lead and arsenic emissions. It is basically just a big vacuum cleaner bag that would cost the mining company, Freeport-McMoRan, about \$60 million to install, one-time cost. And that is for a company that had a net profit of \$2.7 billion last year. So \$60 million, not a drop in the bucket.

It is just common sense that nobody wants their kids breathing in lead and arsenic pollution. I don't think anybody in here would want that. I don't see anybody raising their hands.

But Freeport, they don't have to install this baghouse. Because last fall the company requested and received a Presidential exemption from these requirements through a new process that was set up by your EPA where a company could just email your staff and request an exemption. No public process, no one asking the opinions of the parents whose kids go to that school who are breathing in that pollution every day.

Section 112 of the Clean Air Act says that waivers can only be granted if, and this is a quote, "the technology to implement such standards is not available and it is in the national security interest of the United States to do so." It is not an either-or, technology not available, national security interest,

has to be both.

So to the first requirement, the air pollution control technology clearly exists and has been used for decades, including at the other smelter still operating in the United States. It is in Utah.

To the second requirement, somebody could argue the national security connection, until you consider that what we are talking about here is installing a routine pollution control device that keeps kids from breathing in lead. That is exactly what environmental protections are designed to do.

So, Administrator Zeldin, given this waiver fails both of the tests that are laid out in the law and more importantly, fails the basic duty to protect human health, how is that legal?

Mr. Zeldin. Well, first off, with regard to a Section 112 Presidential exemption, as I am sure you are well aware, Presidential exemptions are made by the President. Our role is to accept the submission and transmit it to the White House. That was the extent of our role, consistent with the statute.

The White House has publicly posted the proclamations and annexes listing the sources that received exemptions, including the actions on April 8th, July 17th, October 24th, and November 21st through 25th. On the bigger topic of lead, it is an extraordinarily important topic as it relates to children's health, as lead in drinking water on land, and much more. And

the agency takes it extraordinarily seriously and there is a lot of accomplishments that we are proud of.

Senator Kelly. Well here is the thing, though. Your agency created a website specifically to invite companies to fast-track waiver requests. And a FOIA request shows that the company spoke with your staff to coordinate this request.

This wasn't just like something that the President did. Your EPA may not be granting the exemptions, but you went through great lengths to make sure that that was facilitated.

This is a mile away from a school. This thing is spewing out 12 tons of lead every single year. The bag costs \$60 million.

Mr. Zeldin, can I get a commitment from you to fix this? Can you go to the President and say, hey, we made a mistake. I mean, this was not -- companies have responsibilities in these communities. Can I get a commitment from you to work with my office, work with the President, to undo this?

Mr. Zeldin. Just for my own background, because this is the first time we are talking about it, do you know if anyone from your team had raised this to ours before now? Or is this the first time that we are engaging on this topic?

Senator Kelly. Well, it is the first time we are engaging, and we have engaged in other topics.

Mr. Zeldin. Plenty of topics.

Senator Kelly. This is a serious issue for the community in Miami.

Mr. Zeldin. I hope that at this point, after all of the many other topics that you have engaged us with that we have been able to very successfully work together on, I will just tell you, my role has been on these exemptions to receive and transmit, pursuant to the statute. If there is something specific beyond that, it merits a follow-up conversation. But it is not familiar that -- I am not aware of you guys reaching -
-

Senator Kelly. From what we know, it was not just received. The website was set up, there was coordination with your staff. You provide no recommendation to the White House on this at all?

Mr. Zeldin. I transmit and submit. It is a receive and transmit.

Senator Kelly. But your job is to look out for the health of the American people.

Mr. Zeldin. Just following the statute.

Senator Kelly. But how about the kids that go to that school and people that go to that church? I would love to have an opportunity to try to solve this problem. It is \$60 million to a company that made \$2.7 billion. I am not saying you specifically; I am saying this administration, the White House,

put the profits of that company over the health of those children.

Mr. Zeldin. The only issue is, as I sit here, I don't have the, I would like to have the information about the company and the technology and the issues you are talking about.

Senator Kelly. We will get it to you.

Mr. Zeldin. Because as I sit here, this is the first time that anyone has raised it.

Senator Kelly. We will get you all the information. Thank you.

Senator Capito. Senator Ricketts?

Senator Ricketts. Thank you, Chairman. I am sorry the Ranking Member isn't here, because I would like to talk a little bit about this stuff.

Administrator Zeldin, thank you very much for being here. Really appreciate the good work you have been doing. You and your team have got some great things to recognize. So really appreciate what you have done in the first year.

As the Chairman knows, I love this committee, because we get to talk about biofuels. And we are going to do that in a moment.

But I also want a chance to talk a little bit about my home State of Nebraska, and power generation. Because the Ranking Member was making a big deal about 9 cents a kilowatt hour for

the renewables that he was referencing. Gerald Gentleman Plant in Nebraska is a coal-burning plant. And it generates electricity for 3 cents an hour.

So by his logic, we should be using coal plants all over the place to be able to generate. Because if you are just going to take the cost of kilowatt hour, 9 versus 3, 3 is a third of 9. So it is much less expensive.

I would also point out that Nebraska, according to the EPA, you acknowledge that we are maintaining the National Ambient Air Quality Standards. So, Nebraska has clean air.

One of the other ways we can help clean up the air is with biofuels. Oh, and by the way, I also, we are not like all, we are an all of the above, as I think it was Senator Husted referenced. We are all of the above. We actually, about 30 percent of our electricity comes from renewable sources, which is much higher than just about any State on the east coast, including Rhode Island. Rhode Island I think is about 12 percent. So we are an all of the above State.

But let's talk about biofuels for a moment. Because that is something that I care about as well. We have talked about it a lot. Under your leadership, the EPA has done a lot for biofuels. And we have a lot of biofuel wins from your agency as you have moved to finish some of these things across the line. I commend the EPA for your historic 2026 and 2027 RVOs and for

putting forward the highest biomass diesel volumes the program has ever seen.

Second, thank you for issuing temporary, the temporary emergency waiver to allow for the sale of E15 all year around. And your support for that is evident.

We appreciate everything you have done to reduce the cost of living, including actions to allow cheaper E10 and E15. The last time I filled up at the pump with an E10 blend, I was saving about 45 cents a gallon.

So, Administrator Zeldin, as we work to expand access to more affordable options at the pump, is there anything that is holding up ensuring that these types of actions are realized for all Americans?

Mr. Zeldin. The reality, the back story of, and I appreciate everything you just said as far as the actions that we have taken, I understand how very disproportionate your time and effort, I know you don't have any regret about spending so much time advocating to EPA. You are doing that on behalf of your constituents. It would be easier, it would be easier for you to advocate for other things if you didn't have to be advocating all year long to EPA to get all these different approvals.

I know that, I mean, this is a Congressional process. There are conversations that are going on. But we have said

yes, along the way, all these requests that have come in. We inherited that blown deadline in RVOs, we inherited the backlog on SREs. We finished RFS Set 2, we have moved on to RFS Set 3.

The problem is that all year long, you have to keep coming to us and asking for that next approval. I would love to be able to get to a new reality where you wouldn't have to spend that time making those asks which you do so passionately for your constituents.

Senator Ricketts. Yes, so would I.

Well, you know, after years of uncertainty, it is encouraging to see the administration understand what the RFS was designed to support, which is rural economy, and support American manufacturing and strengthen American energy dominance.

In Nebraska, we have seen this investment first-hand. My home State has got two new soybean processing plants, two of the newest in the Nation, helping provide stable markets for Nebraska and neighboring States' soybean farmers. Very important at a time when commodity prices are low.

This strengthens and anchors Nebraska's communities. It supports good jobs and the farmers, who are the backbone of rural America. In addition to supporting our farmers, your support for the import RIN reduction reflects a policy that prioritizes domestic feedstocks. Your commitment to implement this reduction beginning in 2028 is a long overdue correction

that will help ensure program rewards American farmers as Congress intended, and will also limit the ability of foreign governments to use our farmers as leverage for political gain.

Now we are looking at the next set of RVOs in 2028. Administrator Zeldin, can we expect the 2028 RVOs to be finalized by November 1st in accordance to the statutory deadline?

Mr. Zeldin. I would absolutely love for that to happen. As soon as we finished RFS Set 2, we immediately moved on to RFS Set 3. We will have to put a proposal out. We are also resolving the small refinery exemption requests that have come in since last August.

The reality is that when RFS Set 3 is done, we are going to be back on schedule. As far as the exact date of when RFS Set 3 will be done, the goal is, as soon as possible. We are working on it right now.

Senator Ricketts. Well, I know that, again, you mentioned already that you had to clear the backlog from the Biden administration, which was like a year late in putting out these RVOs. So I appreciate that you have a lot of work to do to catch up. But I strongly encourage you to hit the November 1st deadline.

Thank you, Madam Chairman.

Senator Capito. Thank you.

Senator Markey?

Senator Markey. Thank you, Madam Chair.

Thanks to Trump's war on Iran, gasoline prices have shot up by a \$1.20 per gallon and are now above \$4.20 a gallon nationwide. That is more than \$600 a year for an average American driver. Drivers are feeling Trump at the pump every day.

And that feeling is going to be supercharged by your evisceration of the Vehicle Greenhouse Gas Emission Standards. Now, I am not going to fight with you today about whether this rollback is legal. I don't think it is. These standards are based on the Endangerment Finding, which states that the scientific fact that greenhouse gases cause climate change, which endangers our health, and the Supreme Court in *Massachusetts v. EPA* found that greenhouse gases are air pollutants and EPA should regulate their dangers through the Clean Air Act, a power you agreed with, you agreed with when you were a member of Congress in 2019.

Mr. Zeldin. No, that is not what I said.

Senator Markey. You voted against any effort to defund enforcement of the Endangerment Finding.

But as EPA Administrator, you said last year that you were "driving a dagger into the heart of the climate change religion," a very movie-villain

way of announcing the forgone conclusion of the Endangerment Finding review before it was even finished. The only thing that has been changing faster than our climate is your position on it.

I am also not going to fight with you today about whether the vehicle standards rollback will increase harms from air pollution and climate change, because it will. I am going to call out the sales fraud that the EPA is committing against the American people by hiding the fact that this rollback is going to hike up costs for drivers and that your own regulatory analysis found that this rollback is going to increase costs by \$180 billion based on projections for future fuel costs that don't even account for Trump's new war on Iran tax at the pump with this traumatic \$1.20 a gallon --

[Simultaneous conversations.]

Mr. Zeldin. Are you going to talk about all the other models that have different numbers?

Senator Sanders. And that is without even calculating a penny for health or environment costs to Americans.

So when Americans hear you talking about trillions in savings and wonder why they still can't pay the bills, why it is more expensive to fill up their tank, or why they are spending more in inhalers and home risk insurance, it is because when the math really gets added up, the costs of these climate and

environmental rollbacks comes out of their pockets at the kitchen table.

I am going to talk a little bit about health care costs, as well. Because when analyzing the standards for dangerous air pollution, the EPA now assigns no value to American lives that would be saved by protection action. Now, you tweeted that this was "fake news." But an EPA spokesperson actually confirmed the reporting, saying that the agency is "not monetizing the impacts on health." This isn't rhetoric; American lives have become literally worthless, a value of zero in the eyes of your EPA.

Similarly, on Monday, you said that the health impacts of the EPA's repeal on mercury and toxic air pollution "could be zero." Well, again, the EPA's own analysis from February said that the rollback means more mercury, more arsenic, lead, heavy metals, and soot will get into our air, into our lungs. That is EPA's conclusion.

Mr. Zeldin. And how much do you think it says that?

Senator Sanders. The health impacts could be zero, if you

--

Mr. Zeldin. Want to talk about it?

Senator Sanders. -- assign no value to American lives.

But I think any worried mom or concerned American would rightfully question whether more mercury, arsenic and soot in the air could have zero health impacts for their children.

So look at who gets counted as valuable by your EPA, Trump's EPA. It is not the kids with asthma. It is not the grandparents with heart disease. But it is big polluters whose costs get counted in your equation, not working Americans, not vulnerable families. Those are the ones who are going to be paying the price for this dagger, this knife that you are bringing to the heart of the protections which have been in place for a generation for our Americans.

Yes, there is a price that is going to be paid, and it is going to be paid for by the health of every family in our Country.

Thank you, Madam Chair.

Mr. Zeldin. Filibustering himself.

Senator Capito. Senator Sullivan?

Senator Sullivan. Thank you, Madam Chair. Administrator Zeldin, I just want to thank you for, I think you are doing a great job.

Number one, you are showing respect to my constituents, the people that live in Alaska. I am going to get into that, and a whole host of issues. First, by showing up, remember you, during your confirmation hearing, you said you are going to come to Alaska a number of times, not just in July, but you want to come when it is cold and dark as possible.

Mr. Zeldin. That is true.

Senator Sullivan. And you were in Fairbanks, Alaska in February. I think it was 30 below zero, and it is dark.

Mr. Zeldin. My toes are just starting to thaw out.

Senator Sullivan. So thank you for that. And thank you for listening to my constituents. Emma Pokon is doing a great job at Region 10.

Mr. Zeldin. She is.

Senator Sullivan. So thank you for hiring her.

This, of course, I have shown this many times. The previous administration didn't listen to my constituents. That is the last frontier lockup. What is that? Next slide there. That is the 70 executive orders, seven zero, from the Biden administration singularly and exclusively focused on Alaska. We didn't ask for them. We didn't want them. And you are helping get us out from underneath that.

Why does that matter? Let me get the next slide. So I have shown this before, too. You know, Senator Markey is talking about life. This is really important to me. All my colleagues in the Biden administration wanted to shut down the economy of Alaska, resource development in Alaska.

They forget about this chart. In a quick nutshell, you have seen it before, Mr. Administrator, but it is really important to show it. When people have the ability to have a strong economy, to develop their resources responsibly, as they

have in the North Slope of Alaska, in the northwest part, Northwest Arctic Borough in Alaska, not on the Aleutian Island chain, they live longer. A lot longer.

My constituents from 1980 to 2014, life expectancy went up almost by 13 years. Nothing more important than that.

So when you are out there and you are seeing it, the work you are doing, it actually helps save lives. So I appreciate it. And that is what is happening in my State.

So, just last weekend, I was in Wasilla, Alaska, visiting a veteran-owned diesel mechanic shop that was raided, SWAT-style, 30 EPA agents, by the Biden administration, with this young man who is now a convicted felon, not because he put anyone at risk, because he was keeping essential diesel vehicles running in the unforgiving cold conditions of my State.

We had a hearing here, thank you, Madam Chair, for that hearing on my bill, relating to this. But you have already taken administrative action, Mr. Administrator, on this DEF issue where essentially an Obama administration regulation shuts down diesel engines at 12 degrees, which is a balmy day in Alaska. The hearing was very powerful, because it showed the giant risks to lives and safety because of that.

Can you give me an update on where you are on that important issue? I know you heard about it in Fairbanks. But it is not just an Alaska issue. It is any place that has cold

weather.

Mr. Zeldin. Absolutely. Last August, at the Iowa State Fair, along with Small Business Administrator Kelly Loeffler, and Secretary Rollins, Senator Ernst, we announced a significant reversal of the deratements through new EPA guidance. In February, we sent out a demand letter for information to 14 engine manufacturers on their warranty data, so that we can rely upon that information for future decisions.

We also issued out right-to-repair guidance, so that farmers and others can be repairing their own farm equipment. That is part of this package of DEF actions. The President recently announced new actions on DEF, EPA guidance got rid of the DEF sensors, no longer required.

Senator Sullivan. Good.

Mr. Zeldin. And now we are moving on to our 2027 NOX proposal, which as of now, we are intending to propose to completely eliminate all deratements. We heard from the haul truckers of Alaska, we are considering their feedback, not just with diesel exhaust fluid, but specifically with the filters. Their insight has been incredible.

Your staff was with us in Fairbanks, while you are doing your job. It was a very good visit. We will not forget the haul truckers. We will not forget how important this issue is in Alaska, and quite frankly, I am sure you wouldn't let us

forget.

Senator Sullivan. Thank you, and I appreciate that. And I will tell you, you have truckers, but ambulance drivers, firefighters in Fairbanks, they wrote a letter, it is part of our testimony.

Another quick issue -- so you are listening, and we appreciate that, Mr. Administrator.

I want to just very quickly, the WOTUS rule as it relates to clear, predictable boundaries for landowners, project developers. Particularly in my State, as you know, over half of all wetlands in America are located in Alaska. But I know you have worked to clarify that, particularly as it relates to permafrost, which is a big issue.

Is that something you are going to finalize soon? And again, thank you for listening to the unique aspects of Alaskans who have big challenges with that rule.

Mr. Zeldin. Senator, we heard you loud and clear, heard from other Alaskans loud and clear. It has been great to see permafrost not just in June, but also in the middle of the winter. We are definitely taking your advocacy strongly into consideration, reviewing the public comments and preparing a final decision.

Senator Sullivan. Good. Thank you very much.

Senator Capito. Thank you.

Senator Schiff?

Senator Schiff. Thank you, Madam Chair.

Mr. Zeldin, you came out to Southern California to observe the Tijuana River crisis. I appreciate that. I had an earlier meeting with Commissioner Chad McIntosh, and he was hopeful that we might achieve the goal of 50 million gallons a day expansion for the South Bay Treatment Plant by 2027, which was an accelerated timetable, which made Californians very encouraged.

But I read an article recently in the Coronado News that stated that the IBWC recently told the San Diego Regional Water Quality Control Board that the timeline for achieving that 50 million gallons a day expansion may slip from 2027 now to 2031. The administration had also said it would achieve an additional expansion to 75 million gallons by 2031.

I wanted to ask if you are aware of this slippage. Is that accurate?

Mr. Zeldin. It is not accurate. I am aware of the story. And I saw it, I asked the questions before today. And they are committed to slashing that timeline. I was told rather confidently that that was not accurate, when that one staffer said 2030.

Senator Schiff. So you think we can still meet the 2027 goal?

Mr. Zeldin. That is what I am being told. I am going to

make sure that we are staying on top of it. But the question I asked about the 2030 was strong pushback that that was not accurate.

And as far as whatever is needed from EPA, whatever might need to be communicated to Congress, or elsewhere inside of the Executive Branch, we want to make sure that that big project is done. Now, as you are well aware, last summer we expedited the two-year timeline to get the expansion to 35 done in 100 days. And that was great that we were able to ramp it up to 35 as quickly as we can.

Getting this next part done is going to be important, in order to achieve a permanent solution, a 100 percent solution to the Tijuana River sewage crisis.

Senator Schiff. Do you think there is an opportunity ahead of us that we can use the July 2025 MOU that you negotiated with Mexico and the Minute 333 agreement, is there an opportunity with USMCA to get any further guarantees or put in any further safeguards to make sure that Mexico expends the resources it has committed to to address its part of this problem?

Mr. Zeldin. So this is a really important point that I have been asked from the beginning. My first trip to the San Diego as Administrator was April of last year. MOU was agreed in July. The Minute was agreed this past December.

Since the MOU was signed and especially since the Minute

was signed, we have been tracking every Mexico side obligation project. They have been spending, they have been obligating the money that they said they were going to obligate on time, and they are doing the projects that they said they were going to do on time. We are staying on top of it daily. And I have not a single blown deadline to report.

So I have been asked the whole time about the stick. Because the way I was communicating the entire time sounded a lot like a carrot, like we want to work with Mexico to get this resolved. And Mexico, the Sheinbaum administration, and Alicia Barcena, was communicating their interest in making it their top priority and it was their first agreement between the Sheinbaum administration after President Trump was sworn back in.

But as long as they are meeting those obligations, I don't want to communicate that we need an additional stick. However, what you are referencing as it relates to future negotiations, I am very confident that at any point, if there is a slippage, that other options will be considered.

Senator Schiff. I appreciate that. Thanks for any effort you can make to try to keep us on track, with a problem that has gone on way too long.

Let me turn to a different subject matter. Administrator, when you testified before the committee last year, as well as in your written responses, you were adamant that EPA conducted an

"individualized review" of every single one of the hundreds of grants that EPA canceled. A great many were in California, but a great many were in other States as well.

You told the committee in response to Senator Whitehouse's questioning, "I conducted an individual review of everything." You told the House Energy and Commerce Committee, "I was the one who made the decision. I made the decision after doing an individual review of every grant specifically."

And I sent a question for the record, in which you responded, "EPA terminated grants on an individualized basis."

So my question is, these grant cancellations are being challenged in court. Recently, Judge Richard Gergel of the U.S. District Court in the District of South Carolina, ruled that EPA likely violated the Administrative Procedures Act, because EPA "failed to produce a single document showing any individualized review of plaintiffs' grants."

So my question is, do you stand by your testimony that you did an individualized review of all of the grants?

Mr. Zeldin. A thousand percent. And actually, on these, the litigation cases, while I am not allowed to talk about individual litigation what I can reference is because Senator Whitehouse pointed to it when we were here last year, there are declarations that were submitted.

Now, Senator Whitehouse only pointed to one declaration,

one case, while ignoring the other declarations of that case as well as all the other declarations of all the other cases. I am pointing you to the declarations submitted by career staffers who were involved in the individualized review. The other staffers of the other declarations of political appointees who were part of the process for individualized reviews.

Every single grant went through individualized review. I was reviewing a sheet that had everything individualized on it when making those decisions.

Senator Schiff. Was that sheet provided to the court? Why would the court find if that was the case --

Mr. Zeldin. There are judges every single day across this Country that reach decisions that show that --

Senator Schiff. So was this information provided to the court?

Mr. Zeldin. I can't speak to anything beyond the declarations.

Senator Schiff. Let me just ask this last question.

Mr. Zeldin. However, I would imagine it was.

Senator Schiff. Will you provide that documentation to this committee, showing the individualized review?

Mr. Zeldin. Sure. It is a -- the document -- if it is not part of what was submitted to the court, which I don't know why it would have been --

Senator Schiff. You will submit it to the committee.

Mr. Zeldin. Yes. I would be surprised, I am actually looking at something that was submitted to the court that looks pretty darned individualized.

Senator Schiff. Well, as long as you are committed to submitting it to this committee, I will yield back.

Mr. Zeldin. Yes. I have it right here.

Senator Schiff. Okay. Thank you.

Senator Capito. Senator Sullivan has asked, and I am going to grant his request, give him another two and a half minutes for questions.

Senator Sullivan. Thank you, Madam Chair.

Administrator, I want to follow up on an issue. You and I have talked about it, it is an issue that I am very passionate about. You have done a great job on this. This is the issue of water and sewer for communities in Alaska. We still have over 30 communities in my State that don't have running water, flush toilets. A lot of people in America would be surprised by that. Our richest country in the world, and we have these communities. You have seen a number of them.

By the way, a number of the most patriotic communities in the Country because Alaska Natives serve at higher rates in the military than any other ethnic group in the Country. And yet, we still have places in my State that people don't have basic

running water. That is one of the reasons why, when there is development, you see a great increase in life expectancy.

So, can you commit to continue to work with me and this committee on drinking water and wastewater infrastructure programs, particularly in rural Alaska, and making that a top priority? The EPA does have some good programs. Sometimes they are a little bit encumbered in red tape to get the money out. But I would like to get your commitment to continue to work with me on that. It is a very important issue for me.

Mr. Zeldin. Absolutely, Senator. The Alaska Rural Native Village Infrastructure Program awarded \$40 million in Fiscal Year 2025 to 14 different projects serving 1,700 Alaskan homes. We anticipated \$39 million for the program in Fiscal Year 2026, to be able to maintain the current level of wastewater and drinking water infrastructure.

Just this past Friday, we announced \$90 million to strengthen water infrastructure for tribes and rural communities, which will go to support small rural and tribal communities, the communities that you have long championed.

Senator Sullivan. Great. Thank you. That is a great answer.

Then finally, somewhat related, this is another issue we have worked on, I think you have seen it first-hand in Alaska, in 1971 Congress passed the Alaska Native Claims Settlement Act,

what we call ANCSA, which conveyed 44 million acres of Federal land, it is the size of North Dakota, to the Alaska Native people, the largest land settlement probably certainly in America, but probably the history of the world, for Native people, to Alaska Native Regional Corporations and village corporations to settle the aboriginal land claims of the Alaska Native people.

Very, very historic, very successful. But a lot of these lands, over 1,100 sites that were transferred by the Federal Government were polluted. So the Feds said to the Alaska Native people, here is your land, you own it in fee simple, which is great. But a lot of it was contaminated.

We have worked hard on this committee in a bipartisan way. Believe it or not, certain EPAs, not you guys, then went to these Alaska Native Corporations and said, hey, we are going to sue you under CERCLA to clean up your land. And they were like, wait, you gave us the polluted land.

So this committee fixed that. And they are no longer liable under CERCLA. The fact that EPA even contemplated them being liable under CERCLA was crazy.

I did notice that the contaminated ANCSA Lands Assistance Program in the President's budget this year was fully funded. So I want to thank you on that. But can you continue, again, to work with me and this committee on this issue, which is, you

know, a real injustice, right? Here is the land, Alaska Native people. Oh, by the way, it is fully polluted so you can't use it.

And so we need to help, with the Feds, not just in funding, but creative ways that we have talked about, maybe mitigation banks and other approaches that could help bring the private sector in to help cleaning up these lands. But the land kind of sits unused, of course, because it is polluted. And that certainly wasn't part of the bargain that the Native people of Alaska thought they were getting when we passed this historic legislation in 1971.

Mr. Zeldin. Senator, thank you for making sure that this always is a top priority for Region 10. We are working with the Alaska Department of Environmental Conservation plus 10 Alaska Native entities on 11 projects currently estimated to total \$24 million in cleanup work. We are actively working on several projects for funding in 2026 as well as in 2027, and we are continuing to streamline our process.

EPA, as well as Alaska Department of Environmental Conservation, Alaska Native Tribal Health Consortium and Alaska Native Village Corporation Associations are continuing to provide support to Alaska Native entities through field work, site planning, and proposal development. In total, we are aware of approximately 1,200 contaminated sites identified on lands

conveyed through the Federal Government. And we look forward to continuing to work with you now and into the future on this.

Senator Sullivan. Great. Well, I appreciate the cooperation. As a matter of fact, I am going to be home in a couple of days. Saturday night is the big annual fundraiser for the Alaska Native Tribal Health Consortium, you just mentioned them. They do great work on this. They do great work on the water and sewer issues you just talked about. So I will pass on the greetings.

But again, thank you for listening to my constituents. These are very unique challenges. But when the Federal Government is helping them, you get this, you get people who live longer, live longer.

And I always ask my colleagues on the other side of the aisle, give me a policy indicator of success more important than the people you represent are living longer. I think the answer is, there isn't one. That is more important than anything. And you are helping in that regard. So I appreciate it.

Thank you, Madam Chair.

Senator Capito. You are welcome. Thank you.

Well, thank you, Mr. Administrator. There is no further questions. I would certainly like to thank you for being here this afternoon, and for your candid answers and very informative answers.

And all of my colleagues who have since left us, for their participation in today's hearing.

Senators who wish to submit written questions for the record have until 5:00 p.m. on Wednesday, May 13th, to do so. The witness's response to those questions are due back to this committee no later than 5:00 p.m. on Wednesday, May 27th, and will be submitted for the record.

Before the hearing adjourns, I would like to ask the folks in the audience to remain seated until the Administrator and his staff have exited the hearing room. I would certainly appreciate that cooperation.

With that, this hearing is adjourned. Thank you.

[Whereupon, at 4:24 p.m., the hearing was adjourned.]