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U.S. Senate Date: Wednesday, October 29, 2025

Committee on Environment
and Public Works

Washington, D.C.

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BUSINESS MEETING

Wednesday, October 29, 2025

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:00 a.m. in room 562, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

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

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

Senator Capito. Good morning, everybody. I note the presence of a quorum and will now call this business meeting to order.

For the information of the members of the committee, Ranking Member Whitehouse and I will deliver our opening statements, and once we have a sufficient attendance, we will immediately proceed to the votes to report out nominations, resolutions and legislation.

After the votes, Senators who wish to be recognized to speak on the nominations, resolutions, or legislation may do so.

I want to thank my colleagues for attending today's business meeting to vote on seven nominations, three committee resolutions and eight pieces of legislation.

First, we will consider the nomination pending before the committee of Jeffrey Hall and Doug Troutman to be Assistant Administrators at the EPA; Ho Nieh to be a member of Nuclear Regulatory Commission; and four nominees to the Tennessee Valley Authority Board of Directors, which will return the board to a working quorum.

Each of these nominees is well-qualified, and I urge my colleagues to support the nominations.

We will also consider three committee resolutions related

to the Ronald Reagan Building in Washington, D.C., and eight pieces of legislation. The three committee resolutions approve prospectuses from the General Services Administration for repairs and alterations at the Ronald Reagan Building. Two of these prospectuses address important repairs immediately needed at the building.

The final prospectus is the GSA's proposed plan to replace the current FBI headquarters at the J. Edgar Hoover Building with the renovated space at the Ronald Reagan Building. This approach addresses the needs and mission of the FBI and utilizes an existing Federal building with a reasonable investment and renovation, instead of significant expense and time waiting for new construction.

I believe the GSA's plan is a responsible and efficient way to address this years-long problem.

Finally, the bills being considered today are largely bipartisan measures, drafted by a variety of members of the committee. The bills are -- I am going to skip reading them, because I think everybody has them in front of them. I will call them out individually as we vote.

I want to thank all of our members for their work on these bills, and I am proud that this committee can continue its bipartisan work on passing legislation.

With that, I will turn to 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. We have a busy agenda today, so let me get right to it.

I will start with Jeffrey Hall, Trump's nominee for EPA's Office of Enforcement, another industry crony here to serve the big polluters who have occupied this administration.

Since February, as Acting in EPA's enforcement role, he has done so little that DOJ filed fewer enforcement complaints with this EPA than ever in any previous administration. One administrative complaint was dismissed with prejudice, meaning EPA cannot bring it again, against Trump megadonor and former Pam Bondi employer GEO Group, alleging misuse of pesticides at a detention facility.

We will have to get the facts on that from a separate lawsuit over chemicals sprayed directly on inmates. Hall claimed no involvement in this, and then admitted he had been briefed on the matter, and on likely additional violations.

EPA, already no great shakes for enforcement, has targeted enforcement attorneys for buyouts so a smaller staff can deliver what Hall calls appropriate enforcement, which sounds to me like appropriate for polluters. I will vote no on Mr. Hall.

Doug Troutman for EPA's Office of Chemical Safety and Pollution Prevention spent over 20 years representing chemical

industry interests that he would now regulate. EPA has zero credibility, and I will oppose his nomination.

The four Republican nominees for the Tennessee Valley Authority Board came after the Trump administration fired three Democratic appointees, upending decades of tradition of a bipartisan TVA board. This is not the fault of the nominees, but it causes me to oppose their nominations.

As for Ho Nieh, nominated to the Nuclear Regulatory Commission, I will support his nomination despite my concerns that the mischief and upheaval at NRC is threatening nuclear safety and regulatory certainty. The NRC needs expertise and qualified leadership like his, but is infested with unqualified DOGE staffers and so-called DOE detailees, who are attuned to the interests of the fossil fuel industry.

I expect Mr. Nieh to resist the dangerously misguided interference that upends decades of bipartisan support for NRC, as the safety regulator enabling the nuclear industry's very existence.

A capable NRC can focus on nuclear progress for America, including smart ways to deal with our nuclear spent fuel. So I am pleased that the REFUEL Act, which I introduced with Senator Husted, is on our agenda. Spent nuclear fuel is a $45 billion disposal liability that could be an energy opportunity. Advanced reactor technologies can use that fuel for clean power.

Spent fuel also contains hundreds of radioisotopes with economic value outside nuclear power. Our bill paves the way to license nuclear fuel recycling facilities that can help make these wins a reality.

I hope we will also reauthorize the Diesel Emissions Reduction Act. DERA is a longstanding, bipartisan grant program that helps retrofit and replace old, dirty diesel engines with newer, cleaner, more efficient engines that both save money and make air safer along roadways, around ports, and near schools. School districts have been the largest beneficiary of these grants, usually for safer, cleaner buses. So I am glad we are continuing this program.

I will happily support the Save Our Seas 2.0 reauthorization, which I introduced with Senator Sullivan, to reauthorize existing EPA grant programs that combat plastic pollution. In the first round, every eligible State and territory requested funding, demonstrating bipartisan need for tackling dangerous plastic waste.

Recycling is a key focus of this program, so it is frustrating that two dozen EPA employees in the Recycling Office were just marked for layoff. This behavior in a program with broad bipartisan support, enforcing a law signed by President Trump, is why EPA's credibility is so shot.

Finally, I want to flag GSA's proposal to move the FBI into

the Reagan Building here in downtown Washington. Any new FBI headquarters must meet the rigorous security standards required by that agency's mission.

Congress authorized and appropriated hundreds of millions of dollars for a secure new campus with GSA to select a new location in nearby Maryland or Virginia. GSA's new prospectus to put the FBI on Pennsylvania Avenue violates both clear Congressional intent and the FBI's security needs.

I understand that Senator Alsobrooks will be recognized at some point to say her piece on this as well. I thank the Chairman for that.

[The prepared statement of Senator Whitehouse follows:]

Senator Capito. While we wait, we have two more members on the Republican side we need to fill out for our roll call votes. The other bills, besides the one that Senator Whitehouse mentioned we are going to be considering today, is the Legacy Mine Cleanup Act of 2025, the REUSE Act, the Great Lakes Fishery Research Reauthorization Act. We will be doing the Marcella LeBeau Recognition Act and a bill to designate the Federal building located at 300 West Congress Street in Tucson, Arizona, as the Raúl M. Grijalva Federal Building. A gentleman I served with for many years on the House side, as did Senator Cramer and those of us who were there.

So we will wait just a few minutes here, I hope just a few minutes.

While we are waiting here, I would ask if somebody like Senator Husted or Senator Kelly, if you want to talk about your bill now we will go ahead and do that until we get full attendance.

Senator Kelly. Thank you, Madam Chair. I want to take a moment also to thank you and Senator Whitehouse for all the hard work that goes into today's markup. I am really glad that one of my bipartisan bills is going to be considered, the Legacy Mine Cleanup Act, which Senator Lummis and I introduced.

This is a bipartisan bill that takes a step forward to cleaning up abandoned and inactive mines throughout the western

United States by permanently authorizing the EPA's Office of Mountains, Deserts, and Plains. Estimates are that there are tens of thousands of abandoned hard rock mines in the western United States. While these abandoned mines pose health and safety risks to nearby communities, efforts to clean them up have often been stalled by Federal bureaucracy.

For example, there are 500 abandoned uranium mines on the Navajo Nation alone, and very few of these have been cleaned up. Our bipartisan bill will start fixing that by establishing an office at the EPA to specifically focus on problems facing the western United States, like these abandoned mines.

I ask my colleagues for their support of this bill, which will take one more step toward cutting through red tape and addressing an important issue for Arizona, for Wyoming, for other western States.

And also on behalf of southern Arizona, I want to thank everyone here for advancing the bill to rename the Tucson Federal Building after the late Congressman Raúl Grijalva. He was my Congressman and my wife's; we live in that district.

Congressman Grijalva represented southern Arizona in the House for more than two decades. He was a man of compassion and conviction. He was always focused on doing the right thing. He was the son of immigrants. He was a champion for the working class. He leaves a legacy of making sure that everybody had a

voice in the halls of Congress.

As the former chairman of the House Natural Resources Committee, he worked with many folks on this committee and folks who certainly served in the House before to preserve public lands, protect public health and the environment, and advance our shared conservation goals.

By renaming the Tucson Federal Building in his honor, we recognize his lifetime of service to southern Arizona and our Nation. This effort is supported by Republicans and Democrats in the Arizona Congressional delegation. I look forward to seeing it signed into law. Thank you.

Senator Capito. Thank you.

Does anybody else wish to make a comment?

Senator Husted, yes.

Senator Husted. Thank you, Madam Chairman. I would like to just briefly speak about the REFUEL Act. I want to thank the Ranking Member for his efforts and leadership on this.

This is about recycling spent nuclear fuel. We have this fuel that is sitting on the sites of our nuclear facilities around this Country, and simply by creating a regulatory framework that would allow for it to be recycled we will generate a new round, new generation, literally, of energy for our Country that would be zero carbon baseload energy to power America with affordable, reliable and clean energy.

This is a technology, a process that is used frequently in France and Japan but we do not use it in America, in part because of the regulatory, need for regulatory clarity. That is what we do; we clarify that the recyclers will use the Part 70 process for licensing the recycling of this fuel, nuclear fuel. It will create the clarity that they need to make sure that they can make the multi-billion dollar investments necessary to accomplish this.

A reminder right now that this is for electricity generation with enriched uranium that will be recycled from spent fuel. Right now, America imports 30 percent of its enriched uranium for this purpose from Russia. We can begin to no longer rely on Russia for our nuclear fuel, that we can make it in America. Thank you.

Senator Whitehouse. Let me just take a moment to thank Senator Husted for his work together with me on this bill.

Senator Capito. Sure.

Senator Whitehouse. I concur with his sentiments.

Senator Capito. We are still lacking a full contingent over here. So if anybody would like to -- yes, Senator Merkley.

Senator Merkley. I will comment now just to save us the time later. I would have offered and withdrawn an amendment later, but I will preemptively speak to it now, in regard to the REFUEL Act. The theory behind the Act is it encourages non-

separative reprocessing, in which it does not isolate plutonium, and it is viewed as a lower proliferation risk.

We have had studies that have disputed that notion, including from Brookhaven National Laboratory, working with five other national labs, saying it does not reduce the proliferation risk associated with fuel processing.

So my amendment would say it is time to take a fresh and intensive look at that assumption, because that setting takes us back to 2009, perhaps circumstances have changed. I think it would be very important to make sure we understand a key assumption behind this bill and get the latest understanding of it.

So that was my amendment. But in deference to my colleague, who is helping co-lead this, I will withdraw that amendment when the time comes.

Senator Capito. Thank you.

Senator Curtis. Madam Chair?

Senator Capito. Yes, Senator Curtis, and then Senator Sullivan.

Senator Curtis. Thank you. I will just briefly weigh in.

I am just really delighted for this bill. I am going to speculate that it fuels, fuels, how about that, innovation, that we are going to see as this bill gives that regulatory framework, we are going to see some U.S. innovation that will

surprise us. We will look back on this, I think, as a very important thing, and that will double down on our dependence, not just on Russia, but on China, for processed uranium. That alone is a worthy goal.

So thanks to my colleagues for their hard work on this.

Senator Capito. Thank you. Senator Sullivan?

Senator Sullivan. Thank you, Madam Chairman. I want to just, since we have the time, talk to two, one bill and one amendment that I had today that I am going to withdraw the amendment.

The bill is the Save Our Seas 2.0 amendments. This is the legislation that I have championed with Senator Whitehouse for many years, the Save Our Seas 2.0 Act, which was signed into law by President Trump, was the most comprehensive ocean cleanup legislation in the history of our Country. President Trump fully acted, as a matter of fact, we had a signing ceremony in the Oval Office on Save Our Seas 1.0. Senator Whitehouse attended with me and President Trump. Some day over a beer I will tell you guys all about it.

[Laughter.]

Senator Sullivan. It was really interesting, really fun.

Senator Capito. [Remarks off microphone.]

Senator Sullivan. I don't know, I don't want to go on the record with that. And I am pretty darned sure Senator

Whitehouse definitely doesn't want to go on the record on that.

But anyway, this is one of the many bills we legislate here in this committee, and so we have an amendment to the Save Our Seas 2.0 Marine Debris Infrastructure Program reauthorization. This would allow the EPA to continue combating marine debris by implementing four programs to improve recycling, keep trash out of rivers and streams, and to keep plastics out of our drinking water and wastewater.

One of these programs is the SWIFR program, which I think all States here utilize in a really positive way. So that is what that bill will be doing. I think it is going to pass by voice vote.

Thank you.

Senator Capito. We all welcome Senator Wicker. Let's make sure we all notice he is here. Thank you.

Senator Wicker. Thak you very much.

[Laughter.]

Senator Wicker. I was told that there would be a bunch of debate before I got here.

Senator Capito. We were debating when you were going to get here. That was the debate.

[Laughter.]

Senator Wicker. Duly chastised.

Senator Capito. Okay, let's get started here. I now call

up Presidential nomination No. 141-20, Jeffrey Hall of Virginia to be an Assistant Administrator of the Environmental Protection Agency. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mr. Cramer?

Senator Cramer. Yes.

The Clerk. Mr. Curtis?

Senator Curtis. Yes.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. Aye. Actually, no.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Yea.

The Clerk. Madam Chairman?

Senator Capito. Yes.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the nominee is favorably reported and I note the presence of a quorum.

I will now call up Presidential Nomination 445-6, Ho Nieh of Alabama to be a member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30th, 2029. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. Aye.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. Yes.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. Aye.

The Clerk. Mr. Wicker?

Senator Wicker. Yes.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report.

The Clerk. Madam Chairman, the yeas are 13 and the nays are 6.

Senator Capito. With that, the nominee is favorably

reported, and I note the presence of a quorum.

I now call up Presidential Nomination 445-11, Douglas Troutman, of Maryland, to be Assistant Administrator for Toxic Substances at the Environmental Protection Agency. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the nominee is favorably

reported and I note the presence of a quorum.

I now call up Presidential Nomination 379-11, Mitch Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the nominee is favorably reported, and I note the presence of a quorum.

I now call up Presidential Nomination 379-13, Jeff Hagood, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas are 10 and the nays

are 9.

Senator Capito. With that, the nominee is favorably reported, and I note the presence of a quorum.

I now call up Presidential Nomination 379-15, Randall Jones, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Yes.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the nominee is favorably reported, and I note the presence of a quorum.

Finally, I call up Presidential Nomination 416-4, Arthur Graham, of Florida, to be a Member of the Board of Directors of the Tennessee Valley Authority. I move to approve and report the nomination favorably. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Padilla. No.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Yea.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the yeas and

nays.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the nominee is favorably reported, and I note the presence of a quorum.

We will now turn to the three committee resolutions before us on the repairs and alterations of the Ronald Reagan Federal Office Building in Washington, D.C. Does any member wish to speak on these resolutions?

Senator Alsobrooks. Thank you, Madam Chair.

Senator Capito. Yes, Senator Alsobrooks.

Senator Alsobrooks. Thank you. Chair Capito, Ranking Member Whitehouse, I want to thank you so much for the opportunity to speak about the Reagan Building prospectuses.

I have to say, I am extremely disappointed in the committee's decision to proceed today. I think it is important for me to share why.

In our first business meeting this year, we reported two pieces of bipartisan legislation unanimously. But in doing so, Ranking Member Whitehouse and Senator Markey raised concerns about the administration's simultaneous actions to dismantle bipartisan laws through executive orders and funding freezes.

This committee has a well-earned reputation for working across the aisle. But it becomes very difficult to do so when

we cannot count on each other to uphold our bipartisan agreements when we have the chance.

The Consolidated Appropriations Act of 2022, which became law because of members reaching a bipartisan agreement, required GSA to select a new location for the FBI's headquarters from one of three sites, and three sites only: two in Maryland and one in Virginia. The Reagan Building in D.C. was not an eligible site under the law. The administration's decision to abandon years of planning and process is a clear violation of that law.

In addition to that, EPW has historically not reported GSA prospectuses on party line votes, not during the last unified Democratic government or in the last unified Republican government. In fact, I am unaware of whether the committee has ever acted in a bipartisan way on GSA prospectuses, giving special deference to members whose States are implicated.

So I am discouraged that we are breaking this long tradition today. I was heavily involved in the selection of the Greenbelt site during my time as Prince George's executive. I can tell you first-hand that choosing the new FBI headquarters was not overnight, it was a lengthy, transparent and highly collaborative process, and one that involved over a decade of work between Federal, State and local partners.

At every step, the goal was to ensure that the FBI would have a headquarters capable of supporting its national security

mission while also being responsible stewards of taxpayer dollars.

In 2023, after years of deliberating, GSA completed its formal evaluation and selected Greenbelt, Maryland as the site that would best meet the criteria that Congress set: accessibility, cost efficiency, security, and mission suitability. GSA even examined this selection, and while it made recommendations for how future selection processes could be improved, nothing in its report negated the selection of Greenbelt for ethics reasons or otherwise.

Now, I understand that there are some who will raise concerns about making better use of existing Federal assets before expanding the Federal footprint. This is a principle that I too fully support.

However, the Reagan Building is not an underutilized Federal property. While there is some vacancy in the building, which I must note is only because of yet another illegal action by the Trump administration, the dismantling of the U.S. Agency for International Development, despite the vacancy, the building currently houses U.S. Customs and Border Protection headquarters, the Children's Museum, and a number of other private sector tenants that generate revenue.

So displacing these tenants would require relocation arrangements and early termination payments, and repurposing the

Reagan Building to serve as the FBI headquarters would not be an example of good asset management. In fact, it would actually remove productive use.

Additionally, the Reagan Building's location and design are inconsistent with Federal security standards for law enforcement agencies like the FBI. The building is constructed, I might note, above an active Metro station and includes a publicly-accessible parking garage, both of which present heightened vulnerabilities.

Some of my colleagues have argued that they support the administration's decision because it would save Federal dollars. I would argue that is not necessarily the case, either. We don't even know how much this project would cost, or whether it can meet the Level 5 security requirements of an FBI security site.

The new site of the FBI headquarters should not be based on politics. The law established a clear path. Congress provided funding and oversight. And GSA made its selection. That selection remains the only legitimate choice.

So again, I am extremely disappointed today; disappointed that we abandoned this committee's bipartisan traditions on GSA prospectuses, and disappointed that we are not upholding a bipartisan law in a bipartisan way. While it may not be today, I have to believe that the rule of law will again matter. It

should matter to all of us. I look forward to the day that it does.

In the meanwhile, while we work toward that ideal, I think we should all agree that the new FBI headquarters, at the very least, should be required to meet the highest level of security, that Level 5 security, and that none of the funds authorized by this resolution should be obligated or expended until the Federal Bureau of Investigation and General Services Administration complete an in-depth assessment and determine that the Ronald Reagan Building is in fact capable of meeting the Interagency Security's Level 5 requirements and provide that assessment.

So for that reason, Madam Chair, I ask unanimous consent to add this proviso to this effect to the committee resolution to alter the Ronald Reagan Building office. I have the language here now, and I would ask that it be entered by unanimous consent.

Senator Capito. Well, before I consider that, I would like to make some statements concerning your statements. And understanding that you are a Senator from Maryland, and we all understand your passion for this.

But I believe, as I think many of my colleagues do, that GSA must utilize existing Federal property portfolio before constructing new buildings and leasing additional space. Last

year, we worked in a bipartisan way to make reforms to make better use of that portfolio. And we directed the sale of certain Federal buildings. The most recent estimates to build a new FBI headquarters at the Greenbelt site placed the total cost at approximately $3.5 billion, and construction is expected to take years.

Moving the FBI headquarters and consolidating other FBI leases from this area into the Ronald Reagan Building will undoubtedly save billions of dollars. GSA and the FBI plan to use existing appropriated funding to cover the cost of upgrading the Ronald Reagan Building.

I will continue to respect the position of a Senator on this committee, regardless of your party, when we consider GSA prospectuses in his or her State. However, that consideration does not apply here. The Reagan Building is in Washington, D.C., and there are no home State Senators to confer with on this prospectus.

The Senator from Maryland has alleged that we are prevented from acting on this prospectus by Section 530, and you talked about this, Fiscal Year 2022 Financial Services General Government Appropriations Bill. Here again, I disagree. Section 530 directed the GSA administrator to engage in a site selection process for a new FBI headquarters location between three sites in Maryland and Virginia.

GSA conducted the site selection process, and under President Biden's administration, submitted a prospectus to this committee for a site in Greenbelt, Maryland, in 2024. Once the prospectus was submitted, GSA had fully satisfied its obligation under Section 530.

Neither our committee nor the House Transportation and Infrastructure committee took any action to approve or disapprove the prospectus of the Greenbelt site. The Trump administration submitted a prospectus this year to upgrade the Reagan Building for use as the FBI headquarters. That prospectus is what we are considering today.

Nothing in the Fiscal Year 2022 appropriation language prohibits the GSA from submitting an additional prospectus related to the FBI headquarters, nor does it prohibit this committee from considering such a prospectus.

Notably, the language was included in the Fiscal Year 2024 Senate version of the FSGG Appropriations Bill, Section 528 of S. 2309 in the 118th Congress. That would have prohibited the use of funds for an FBI headquarters at a site other than one of the three sites. That language was dropped in negotiations from the House and did not become law.

It is up to the Appropriations Committee whether to approve a transfer request that would allow GSA to use already-appropriated dollars to fund the Reagan Building project. GSA

has indicated to me that if the transfer is approved, there are sufficient funds to complete the project with those already-appropriated dollars. Our committee's responsibility under 40 U.S.C. 3307 is to decide whether we believe the Reagan Building project should move forward.

There is nothing in law that prevents our committee's approval of the Reagan Building prospectus today. I believe it is the right policy to use a facility already owned by a Federal Government at a lower cost to our taxpayers.

I ask my colleagues to approve this prospectus.

Senator Alsobrooks. Madam Chair, if I might just add one, if I might just respond really quickly, one other piece here. Two things have not been addressed. We don't know how much it will cost, with all due respect, to go to the Ronald Reagan Building. I think that is still yet unknown.

Furthermore, in 2013, the FBI itself in a hearing said that they require a Level 5 security, and that was the reason that we were moving in the first place, from Washington, D.C. It is still unknown whether the Ronald Reagan Building can even achieve a Level 5 security. I would submit it probably can't.

So I would like to ask unanimous consent, I would like to offer the testimony of the FBI itself saying they require a Level 5 to go to a building. The Ronald Reagan Building, I believe it will not meet that.

So I would ask unanimous consent to offer that testimony and again, to renew my request that we do not move forward with any money until that Level 5, until we have the assessment that GAO and FBI both said they would ask for by October. They haven't done it. They said they would request an assessment to make sure that at the very least, the men and women at the Ronald Reagan Building are safe and secure, and they have the Level 5 that they deserve.

Senator Wicker. Madam Chair, a parliamentary inquiry?

Senator Capito. Yes, sir.

Senator Wicker. Are we now into our second unanimous consent request from the Senator from Maryland?

Senator Capito. It sounds like that and I am going to address the unanimous consent request right now. Let me address the first one.

Senator Wicker. Okay. And I would reserve the right to object, also.

Senator Capito. Okay. Rule 4(b) of our committee requires that full, that all first-degree amendments, these are our committee rules, they are not Republican rules or Democrat, they are committee rules, that we would file first-degree amendments within the first, within 24 hours before a business meeting.

So no amendments to the committee resolutions approving the GSA prospectus were filed before the deadline set by our rules.

This business meeting was properly noticed with the text of the committee resolutions and all other agenda items provided to committee members on Friday, October the 24th in compliance with Rule 4(a) of the committee rules.

Therefore, I object to the unanimous consent.

Senator Alsobrooks. I wasn't offering it as an amendment, Madam Chair. I am asking a proviso. I think the whole committee should agree that at the very least, we should have a Level 5 security at this building. And that is just a proviso, not an amendment. You can't even amend prospectuses.

Senator Capito. I am just renewing my objection to the unanimous consent.

Senator Wicker, did you want to speak to this?

Senator Wicker. Yes. And with regard to the gentlelady's second request, simply to add some information expressing her point of view, I don't think any of us would object to the record being added to, to put that testimony in.

Senator Capito. Would you restate that?

Senator Wicker. As I understand it, Senator Alsobrooks' first unanimous consent request has been objected to by the distinguished Chair.

Senator Capito. Correct.

Senator Wicker. Now, she is simply asking that some testimony be added, and I don't think any of us would object to

the record being --

Senator Capito. Then I will withdraw my objection to the unanimous consent of the second request. Wait a minute.

[Conversation off microphone.]

Senator Capito. Correct. I objected -- yes, you understand that.

Senator Alsobrooks. Thank you.

Senator Whitehouse. So just to clarify, without objection as to Senator Alsbrook's second request?

Senator Capito. To submit the FBI testimony. Thank you.

[The referenced information follows:]

Senator Merkley. Madam Chair?

Senator Capito. Yes, Senator Merkley.

Senator Merkley. So, I am thinking about a competition that went forward between Oregon and Washington over the basing of the Pacific Research Fleet. After stiff competition, Oregon won that, and for a whole host of reasons, a much better site to base the fleet.

We have a similar parallel situation here, in which after stiff competition, the best site was chosen. We are now entering a realm where the administration is specifically targeting Blue States and their projects, and this is not a realm we should go into. Future administrations may be Blue administrations.

I ask my colleagues, if all of you had a State that was competing, and you won it fair and square, after a couple of years of intense competition, you would be saying, it is outrageous for a Blue administration to target your State deliberately. Are we not one America? Couldn't we all unite behind the idea that no State should be targeted in this fashion for an important project?

I want to lay it out there as something for all of us to ponder about the deterioration of fair competition for major projects. So that is all, I just want to share that, that this is not a place we should be going to now or in the future.

I don't want to see a Democratic administration retaliating against Red States. This is not a Red and Blue America in the sense that we all want to make this Country work better. When a good project goes through years of competition, finds the best site, let's let it stand and let's back it up unanimously.

Senator Cramer. Madam Chair?

Senator Capito. Yes, Senator Cramer and then Senator Sullivan.

Senator Cramer. Madam Chair, thank you. I appreciate Senator Merkley's point; however, we are not competing. This isn't the Army-Navy game. We are talking about billions of dollars with an excess of Federal property that we can't get rid of.

This is not simply a Maryland versus Virginia competition. This is about where the FBI should be located.

With regard to Blue States, as Blue as Maryland is, there is no place brighter Blue in the world than Washington, D.C. And so I think on both cases, it is sort of a futile argument.

Senator Capito. Senator Sullivan?

Senator Sullivan. Madam Chair, this committee has heard it a bunch of times, and I work well with my colleagues on both side of the aisle, but I kind of wish Senator Merkley's argument was made during the Biden administration. They issued 70 executive orders and executive actions singularly focused on

Alaska to shut down my State's economy, crush its ability to produce natural resources for America. Seven zero. These aren't like executive orders that hit every State in the Country, a big EPA EO, seven zero, only and exclusively to Alaska.

And a lot of them were illegal. Federal courts later came out and said they were illegal. I am going to go do a CRA here in a couple of minutes to rescind one of them. But it is a little rich when my State got creamed and singled out by the last administration, in a way that was just outrageous.

So I just want to make that clear, even though I have done it a lot in the last six years.

Senator Capito. All right. Any other comments?

I am going to call up Committee Resolution to approve a full placement of the fire alarm system, there are three resolutions here, a complete replacement of the fire alarm system and safety repairs and upgrades throughout the Ronald Reagan Federal Office Building in D.C., GSA prospectus PDC-0000AF-DC25.

[The text of the committee resolution and prospectus follows:]

Senator Capito. I move to approve the resolution. Is there a second?

[Motion seconded.]

Senator Capito. Do we need to have a roll call?

Senator Whitehouse. No.

Senator Capito. We can have a voice vote. All those in favor, say aye.

[Chorus of ayes.]

Senator Capito. Opposed?

[No audible response.]

Senator Capito. The ayes have it; the resolution is approved.

Next, I will call up Committee Resolution to approve the repair of the existing atrium of the Ronald Reagan Federal Office Building in Washington, D.C., GSA Prospectus No. PDC-0004-WA26.

[The text of the committee resolution and prospectus follows:]

Senator Capito. I move to approve the resolution. Is there a second?

[Motion seconded.]

Senator Capito. Can we go for a voice vote?

Senator Whitehouse. No, sorry.

Senator Capito. Okay. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Whitehouse. No, by proxy.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the resolution is approved.

Finally, I call up committee resolution to approve the repair and reconfiguration of the Ronald Reagan Federal Office Building in Washington, D.C. to replace the existing headquarters of the FBI, allowing for the consolidation of FBI leases in the National Capital Region, GSA Prospectus No. PDC-FBIHQ-DC25.

[The text of the committee resolution and prospectus follows:]

Senator Capito. I move to approve the resolution. Is there a second?

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Alsobrooks. No.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Whitehouse. No, by proxy.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. No.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas are 10 and the nays are 9.

Senator Capito. With that, the resolution is approved, and I note the presence of a quorum.

I now will call up, many of these are bipartisan bills, I

now call up S. 2082, the Nuclear REFUEL Act of 2025. Are there any amendments? I don't think so.

[The text of the legislation follows:]

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

[Motion seconded.]

Senator Capito. The Clerk will call the roll.

The Clerk. Ms. Alsobrooks?

Senator Whitehouse. Aye, by proxy.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. Aye, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Aye.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Whitehouse. Aye, by proxy.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Padilla?

Senator Whitehouse. Aye, by proxy.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Schiff. Aye.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. Aye.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the yeas and nays.

The Clerk. Madam Chairman, the yeas are 16 and the nays are 3.

Senator Capito. With that, the legislation is favorably reported and I note the presence of a quorum.

I will now call up S. 2235, the Diesel Emission Reduction

Act of 2025.

[The text of the legislation follows:]

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

Senator Sullivan. Madam Chair? I would like to call up Sullivan Amendment 1, and then I am going to withdraw it and I am going to speak to it after this entire session is done, so I don't hold up any colleagues.

Senator Capito. Okay.

Senator Sullivan. But I will speak to it after all the votes.

Senator Capito. Thank you.

Okay. So I move to pass and report the legislation favorably. Is there a second?

[Motion seconded.]

Senator Capito. All those in favor, say aye.

[Chorus of ayes.]

Senator Capito. All opposed, no.

[No audible response.]

Senator Capito. In the opinion of the Chair, the ayes have it. The legislation is favorably reported. The Chair notes that, for the record, that a quorum of the committee is present.

Next, I will call up S. 2741, the Legacy Mine Cleanup Act of 2025. By agreement with the Ranking Member, we will consider the Kelly Amendment as adopted.

[The text of the legislation and amendment follows:]

Senator Capito. Does any Senator wish to offer additional amendments?

I move to pass and report the legislation as modified favorably. Is there a second?

[Motion seconded.]

Senator Capito. All those in favor, say aye.

[Chorus of ayes.]

Senator Capito. All those opposed, say nay.

[No audible response.]

Senator Capito. In the opinion of the Chair, the ayes have it. The legislation is favorably reported. The Chair notes for the record that a quorum of the committee is present.

I now call up S. 3022, the Save Our Seas 2.0 Marine Debris Infrastructure Program's Reauthorization Act.

[The text of the legislation follows:]

Senator Capito. Does any Senator have an amendment? I see none. I move to pass and report --

Senator Merkley. Madam Chair, I have a comment.

Senator Capito. Yes, Senator Merkley.

Senator Merkley. I am offering and withdrawing amendments on this. And there are two things that came out of the earlier studies. One is that textiles are a major source and possibly, according to NIH, the largest known source of microfiber plastic pollution in our water.

One of the recommendations is to really look at how textiles are disposed of, they are made out of plastics, it is those fibers. Second is to pursue the ability to, when we wash our clothes, tons of fibers go into our waterways, plastic fibers, is to look at requiring or advancing incentives to have microfilters on our washing machines.

I had proposed amendments on both of these items, because it is one thing to study, and it is another to take action. I realize there is not favorable support here, so I withdraw the amendments.

But I want to keep emphasizing that we need to keep these microfibers out. The more we learn about human pollution, that is, the microfibers of plastic getting into our bodies, all of our organs, even into our brains, we have to look at these issues. Thanks.

Senator Capito. I appreciate the Senator.

Senator Whitehouse. Madam Chair?

Senator Capito. Yes.

Senator Whitehouse. Let me just offer a word of commendation to the distinguished Senator from Oregon, who has put immense determination and energy into pursuing these issues, often in a subcommittee of this committee. He is right on the merits.

I look forward to being able to work towards a bipartisan piece of legislation that will help address those concerns, which I think we all share.

Senator Capito. I think we can say that is something we should definitely proceed with.

So I am going to move to pass and report the legislation favorably. Is there a second?

[Motion seconded.]

Senator Capito. All those in favor, say aye.

[Chorus of ayes.]

Senator Capito. All those opposed, say nay.

[No audible response.]

Senator Capito. In the opinion of the Chair, the ayes have it. The legislation is favorably reported. The Chair notes for the record that a quorum of the committee is present.

Okay, by agreement with the Ranking Member, we will

consider the remaining four agenda items en bloc by voice vote. I call up S. 2110, the REUSE Act of 2025; S. 2878, The Great Lakes Fishery Research Reauthorization Act; S. 287, the Marcella LeBeau Recognition Act; and S. 2319, a Bill to Designate the Federal Building located at 300 West Congress Street in Tucson, Arizona, as the Raúl M. Grijalva Federal Building.

[The texts of the legislation follows:]

Senator Capito. Does any Senator wish to be recognized for an amendment? If not, I will move that the committee report the bills favorably en bloc. Is there a second?

[Motion seconded.]

Senator Capito. All those in favor, say aye.

[Chorus of ayes.]

Senator Capito. All those opposed, say no.

[No audible response.]

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

I want to thank everybody for their dutiful attendance and attention.

Senator Sullivan. Madam Chair?

Senator Capito. I will now call on Senator Sullivan.

Senator Sullivan. Thank you, Madam Chair.

I called up Sullivan Amendment 1 to Senate 2235, the Diesel Emission Reductions Act, and I withdrew that. I am withdrawing my amendment today, but I appreciate the committee's willingness to work with me to advancing a meaningful fix to a one-size-fits-all regulation on diesel exhaust fluid, or DEF. That simply doesn't work in cold States.

So we have a lot of cold States here, not just my State,

but across the Country. Every cold-weather State is negatively impacted by this rule.

Here is the issue, Madam Chair. In 2010, the EPA issued regulations requiring diesel engines to use DEF, diesel exhaust fluid, to reduce nitrogen oxide emissions. Okay, that is not a bad goal.

The problem is DEF freezes solid at just 12 degrees above zero. In a lot of our States, that is pretty average. We get down to 50 below zero in Alaska.

So in the dead of winter, when it is 50 below zero in Alaska, onboard truck sensors register this as a cold system weather failure and the truck immediately shuts down or barely works. In other words, when nothing is wrong mechanically, the engine is forced into limp mode or shuts down entirely, just to stay compliant with this EPA regulation.

Take for example Coke Wallace, a good friend of mine, a big game hunting guide from Healy, Alaska. His truck was shut down by its own sensors, failing in cold weather. He was stranded in subzero temperatures miles away from any help in Alaska, zero cell service, simply because a regulation was required for the whole Country that makes no sense in States with very cold weather, like Alaska.

Unfortunately, Coke's story isn't unique. We have heard from countless Alaskans and other people from States that have

very cold weather who have faced the same situation: truckers, construction workers, fuel haulers, where their equipment didn't fail, but because of these Federal regulations, their engine was shut down in cold weather.

My amendment and the broader bill I will be introducing directs the EPA to make practical, targeted updates, so that one, diesel engines aren't forced to shut down when emission sensors fail in freezing conditions; two, trucks and heavy equipment that primarily operate in cold regions can qualify for exemptions from the DEF requirements that are unsafe or impossible to meet when it is 10 below zero.

So while I withdraw my amendment today, I look forward to working with all members of this committee, it gets cold in Rhode Island and Oregon as well as Alaska and Wyoming, to advance this critical public safety fix. Because this is about public safety. Your engine shuts down at 40 below zero, you have no cell service, you can die. And that is happening in my State because of a Federal regulation that is a one-size-fits-all reg that does not take into account that a lot of America gets cold in the winter.

So I am hoping that we can pass my amendment in a separate bill. But I will withdraw it today. I am hoping we can move this forward soon, Madam Chair.

Senator Capito. Thank you, Senator Sullivan.

Senator Lummis?

Senator Lummis. Yes. Will the gentleman yield?

I have a constituent who was bypassing this system because school buses, fire trucks, ambulances that run on diesel would not run. And for his work, he was put in jail for eight months. He is currently at home in Cheyenne, Wyoming, with an ankle bracelet.

He went to prison for making fire trucks run, because of a regulation that the EPA passed. This was never enacted as a law by the Congress of the United States. It was a regulation that imposed a criminal penalty on mechanics who made engines run in cold weather. It is absolutely shameful.

Senator Sullivan. And, Madam Chair, will my colleague yield? We have had the same thing in Alaska, where mechanics have tried to fix this so the engines don't shut down, and the EPA has raided these mechanic shops with, you know, weapons, guns and it is just outrageous. It is like the EPA gestapo to arrest people who are trying to fix engines so they don't shut down.

It is just -- the whole thing is a mess. We need to fix it.

Senator Capito. I will look forward to working with you both, and other members of the committee, on this very issue.

Senator Husted?

Senator Husted. I would just like to thank you, Madam Chairman, and the Ranking Member and the members of the committee, for your support of the Great Lakes Fishery Research Reauthorization Act. I am the only member of the committee, I believe, that represents a Great Lakes State.

There are great threats from invasive species and other threats, environmental threats to the fishery of the Great Lakes. This will help make sure that we protect that wonderful resource for all the Great Lakes States and our Nation.

Thank you.

Senator Capito. Thank you for your advocacy for the Great Lakes.

Senator Merkley?

Senator Merkley. Thank you, Madam Chair. I would like to thank you and your team for the collaboration on the REUSE Act. This Act really is striving to address plastic pollution through reusable and refillable products and systems.

I have two items I would like to have entered into the record of organizations that were weighing in to say how important it is to pursue this approach.

Senator Capito. Right. So ordered.

[The referenced information follows:]

Senator Merkley. Thank you.

Senator Capito. I would like to say, too, to Senator Merkley, I know that this particular bill is extremely important to you, and that as part of our recycling efforts, the bill that Senator Whitehouse and I have worked on together, that this was part of the agreement that we would work together to further this issue.

So I am happy to do that. Thank you.

All right, with that, I think the business portion of this meeting is over. Again, thanks to everybody for coming and staying.

With that, the business meeting is adjourned.

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