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Committee on Environment
and Public Works

Washington, D.C.

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BUSINESS MEETING TO CONSIDER THE NOMINATIONS OF SEAN McMASTER TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION, JOHN BUSTERUD TO BE ASSISTANT ADMINISTRATOR FOR THE OFFICE OF SOLID WASTE OF THE ENVIRONMENTAL PROTECTION AGENCY, AND ADAM TELLE TO BE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

Wednesday, June 11, 2025

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.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, Graham, Sullivan, Ricketts, Wicker, Boozman, Husted, Kelly, Padilla.

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 now call this business meeting to order.

For the information of the members of the committee, Ranking Member Whitehouse and I will deliver opening statements, as I said, and then when we get sufficient attendance, we will turn to the vote. After the votes, members who wish to be recognized to speak on the nominations are encouraged to do so.

So I want to thank my colleagues for attending today and to vote on the nominations of Sean McMaster to be the Administrator of the FHWA, John Busterud to be the Assistant Administrator of the EPA, and Adam Telle to be the Assistant Secretary for the Army for Civil Works.

Sean McMaster has more than 10 years of government service, working in the U.S. House of Representatives and in Federal agencies, including the U.S. Department of Transportation. For the last five years, Mr. McMaster has worked for the private sector in two private sector transportation companies.

Mr. McMaster's relevant professional background, both in the public and private sectors, make him, I believe, especially well-suited to be the Administrator of the Federal Highway Administration.

John Busterud practiced environmental law for 31 years and previously served as the regional administrator for the EPA's Pacific Southwest Region. Mr. Busterud also served our Country with distinction for 23 years in the U.S. Army. Mr. Busterud's exceptional experience has prepared him to lead OLEM and to tackle some of the Nation's most pressing environmental challenges.

Adam Telle has two decades of public service in the United States Senate, including as my clerk on the Homeland Security Subcommittee and Appropriations and also as a special assistant to the President in the first Trump administration. Mr. Telle has seen first-hand how the Army Corps' response to natural disasters can help communities withstand significant weather events and then recover from them.

Mr. Telle's extensive experience and understanding of the issues facing the Army Corps of Engineers make him an excellent choice to lead the Civil Works Program.

At their recent nomination hearing, we heard the nominees visions for the respective roles that they have been nominated for, and we learned about their professional experience that has shaped their qualifications for these roles.

I am confident that these nominees will focus their efforts to bringing their respective agencies back to achieving their core missions and faithfully following the laws that Congress

has enacted as they carry on their duties. So I urge my colleagues to support these nominees.

And with that, I 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, Chair Capito.

I will vote for Adam Telle to serve as Assistant Secretary of the Army for Civil Works. Over his 20-year career, he has demonstrated admirable commitment to public service. His testimony and his experience securing resources for disaster response and recovery suggest that he appreciates the dire consequences that natural disasters wreak on red and blue States alike.

I hope Mr. Telle will carry this lesson forward and ensure that the Corps executes its mission objectively and without political bias.

I will also support Sean McMaster to lead the Federal Highway Administration. First off, I appreciate DOT moving expeditiously to obligate funds to hundreds of previously awarded discretionary grants. As I have said, I don't think the grants ever should have been paused or frozen, but on the other hand, the previous administration should also not have left thousands of awarded but unobligated grants.

One unresolved item is the National Electric Vehicle Infrastructure program, created in our Bipartisan Infrastructure Bill, which remains frozen. DOT has assured my staff that draft guidance for NEVI will be released in two weeks. Based on this

assurance, I will vote in favor of Mr. McMaster's nomination. But that support in committee will evaporate on the Floor if the draft guidance doesn't appear or is unworkable for States. I am trusting, at this point.

Progress like this is key to Democratic support for a highway bill next year. So I am doubly happy to see steps going in the right direction.

Lastly, on John Busterud, I will vote no. When we heard from these nominees on May 14th, I warned that EPA was a mess. It remains a mess. Administrator Zeldin continues his brazen polluter-driven assault on clean air, clean water, and a safe climate. He has made it his mission to blockade illegally Congressionally authorized and appropriated funding. His performance has utterly belied his promise of being responsive to Congress.

The Environmental Protection Agency has become the polluter protection agency at a swamp of corruption. Whatever this individual's personal merits, I cannot support this nominee for an agency so dishonorably in the service of polluting interests.

A word about the Republican Reconciliation Bill, last week the EPW title was released. Unfortunately, it included a raft of rescissions, a repeal of EPA's emission standards for cars and light trucks, a pay-to-play scheme to expedite permitting and a 10-year suspension of a fee on excess methane emissions,

much of it in violation of reconciliation rules.

None of this is good, but let me focus on the methane fee. Methane is responsible for up to 30 percent of the warming we have observed. Fossil fuel production and transport are among the worst sources of methane emissions.

Eliminating those methane emissions should be easy. It is a true low-hanging fruit. Methane is natural gas; it is a product. Producers capturing leaked methane would have more product to sell.

That is why an estimated 50 percent of methane emissions from oil and gas operations could be captured at zero net cost. Plus, more captured methane means lower prices for gas consumers.

Remember that our methane fee only hit companies failing the industry's own leakage standards. Meet your own weak industry standards and you pay nothing. Only if you are among the worst do you pay a fee. Based on your own excess emissions, only the dirtiest companies would pay a fee and only if they don't hit their own targets.

Plus, we had a deal: a billion dollars of taxpayer money went to industry to pay for cleaning up its own mess, and industry got a weakened methane fee. So everything about this industry behavior is dishonorable.

For what it is worth, the Appalachian Basin is one of the

cleanest producing basins in the United States, especially compared to emissions-intensive basins like the Permian. So the methane fee would help cleaner producers like those in West Virginia.

Republicans now seek to suspend the fee for 10 years, having already used the CRA to end EPA's rule for collecting the fee. EPA also announced that it would ease enforcement efforts on methane, will suspend compliance deadlines for its methane regulation, and contemplates rescinding it entirely, the true pollute-for-free fossil fuel business model.

I will take this moment to warn the industry: have your fun today; this isn't going away. Satellites can now spot the leakers, so we can let the world know just how dirty and irresponsible your industry is. We can make sure people know how false the industry's declarations have been about methane emissions.

We can make sure that the public understands the cost of your methane leakage, the cost and higher insurance premiums, higher grocery prices, higher electric bills, and reduced air quality. For instance, from Canadian wildfires, again burning out of control.

We can make sure people know you wouldn't even enforce your own weak industry standards. The industry has in recent months shown its true colors. And we will remember.

Persistent industry corruption of the political process has brought us to this era of climate consequences. The Trump administration's crawling servitude to fossil fuel polluters will only worsen those consequences. And as those consequences come to pass, there will also come a reckoning.

Thank you, Chair.

[The prepared statement of Senator Whitehouse follows:]

Senator Capito. Thank you, Senator Whitehouse.

At this time, I want to ask Senators to hold their remarks on the nominees until after the roll call votes.

I will now call up Presidential Nomination 26-31, Sean McMaster of Virginia to be Administrator of the Federal Highway Administration. I move to approve and report the nomination favorably. Is there a second?

Senator Wicker. Second.

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

The Clerk. Ms. Alsobrooks?

Senator Whitehouse. No, by proxy.

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. Yes.

The Clerk. Mr. Husted?

Senator Husted. Yes.

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 Whitehouse. No, by proxy.

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 Whitehouse. No, by proxy.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. Aye.

The Clerk. Madam Chairman?

Senator Capito. Yes.

The Clerk. Madam Chairman, the yeas are 12, the nays are 7.

Senator Capito. With that, the nominee is favorably reported. I thank you.

I will now call up presidential nomination 55-12, John Busterud of California, to be an Assistant Administrator of the Environmental Protection Agency. I move to approve and report the nomination favorably. Is there a second?

Senator Wicker. Second.

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

The Clerk. Ms. Alsobrooks?

Senator Whitehouse. No, by proxy.

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 Whitehouse. No, by proxy.

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 Whitehouse. No, by proxy.

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, the nays are

9.

Senator Capito. With that, the nominee is favorably reported.

I will now call up presidential nomination 55-43, Adam Telle of Mississippi to be an Assistant Secretary of the Army. I move to approve and report the nomination favorably. Is there a second?

Senator Wicker. I second.

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

The Clerk. Ms. Alsobrooks?

Senator Whitehouse. Aye, by proxy.

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 Whitehouse. No, by proxy.

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 Whitehouse. No, by proxy.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. Aye.

The Clerk. Mr. Wicker?

Senator Wicker. Yay.

Senator Whitehouse. Was that a cheer or a vote?

[Laughter.]

The Clerk. Madam Chairman?

Senator Capito. Aye. The Clerk will report the totals.

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

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

So, I want to thank everybody again, to all of our members for being here. I will now recognize anybody who wishes to speak on any of the nominees.

Yes, Senator Curtis.

Senator Curtis. Thank you, Madam Chair. If I may have a point of personal privilege, I would like to introduce my grandson to the committee, who is with me, Jett. Would you stand, Jett?

[Applause.]

Senator Curtis. Jett is 15 years old. He has been with me this week. I have counted; we have had 1,682 energy credits discussions since he landed. He is now an expert on energy credits.

[Laughter.]

Senator Curtis. Second, Mr. Ranking Member, I want you to know that I actually do associate myself with much of your comments about methane. I would like to introduce to you a problem that we have in my State with people who have now owned wells that have passed down through a number of hands and simply

don’t have the capital. So even though it may be revenue neutral, they don’t have the capital. I would love to join you offline in another discussion about how we can work on this issue together.

Senator Whitehouse. I would be delighted to have that conversation, Senator. Thank you.

Senator Curtis. Thank you.

Senator Capito. Thank you. And welcome.

Senator Padilla. Thank you, Madam Chair.

I want to begin by saying just how proud I am of the bipartisan work that this committee does on a very regular basis. Because of that, I want to explain my “no” votes on the nominations today.

First, I want to discuss the nomination of Mr. Telle to be the head of the Army Corps. I appreciated my opportunity to meet with Mr. Telle before the hearing in my office. It is clear that he is definitely qualified for the role, and I look forward to working with him on many of the Army Corps issues facing California.

However, I simply cannot ignore the partisan way in which the Army Corps, under this administration, has treated California and other States, for that matter. I am deeply disturbed that neither the Fiscal Year 2025 work plan nor the Fiscal Year 2026 proposed budget provides funds to critical

flood control projects that have been authorized and supported by Congress, including the Pajaro River Flood Risk Management Project. These authorizations, the support of Congress is clearly on a bipartisan basis, a reflection of the spirit of this committee.

But the project that is being zeroed out by the Trump administration are not just local efforts and local concerns. They protect some of the most high-risk regions for catastrophic flooding in the Nation. So I think it is critical that the Army Corps and the Administration understand the depth and the significance of my concern about my constituents, how they are being treated when it comes to life-saving flood infrastructure.

Next, I want to turn to the nomination of Mr. McMaster. Again, I do not doubt Mr. McMaster's qualifications to lead the Federal Highway Administration. And I hope to have a productive, constructive partnership with him, should he be confirmed. He and I had that conversation.

But that being said, I cannot in good conscience vote to advance his nomination, due to the way in which the Department of Transportation has unlawfully frozen funding for the National Electric Vehicle Infrastructure program and the Charging and Fueling Infrastructure program in their crusade against zero-emission vehicles.

Additionally, Secretary Duffy has launched a sham

investigation into the California high speed rail project as a cover to pull back billions of dollars from critical infrastructure in my State.

Finally, I have announced my intent to place a blanket hold on all EPA nominees due to the way in which EPA has abused the Congressional Review Act, and overreached its efforts simply to attack California.

Just a few weeks ago, we saw Senate Republicans overrule the Senate Parliamentarian in order to undermine California's clean air authority, an authority that has been in place since the beginning of the Clean Air Act decades ago. And it is important for my Republican colleagues as well as the administration and the EPA to understand that actions have consequences.

So it is important to understand that I will maintain my holds on EPA nominees until acceptable accommodations are reached for the State of California to be able to protect the health of our own people.

In addition, as Ranking Member of the Senate Rules Committee, I am also sending an oversight letter to Administrator Zeldin. I believe EPA's abuse of the CRA led the Republican majority to go nuclear, all in their effort to attack California's Clean Air Act authority.

EPA had never submitted a California waiver to Congress in

the 20 years that the CRA has been in effect under both Democratic administrations and Republican administrations, until now. So that reckless disregard for the law has had major consequences, not just on California's ability to reduce emissions and improve public health, but for how the Senate itself operates. And the Senate deserves to know how and why the Trump EPA changed the agency's longstanding legal position on those waivers.

I have asked some important questions, and I am seeking EPA's related records and communications. So Madam Chair, we will see whether Administrator Zeldin will respect Senators' oversight authority and will hold the Trump EPA accountable for their abuse of the law.

Thank you.

Senator Capito. Thank you. Anybody else wishing to speak? Thank you, Senator Padilla.

With that, the business meeting is concluded, and we are adjourned.

[Whereupon, at 10:23 a.m., the business meeting was adjourned.]