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BUSINESS MEETING

MEETING

BEFORE THE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

APRIL 10, 2019

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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED SIXTEENTH CONGRESS
FIRST SESSION

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BUSINESS MEETING

WEDNESDAY, APRIL 10, 2019

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC.

The Committee met, pursuant to notice, at 10:04 a.m. in room 406, Dirksen Senate Office Building, Hon. John Barrasso (Chairman of the Committee) presiding.

Present: Senators Barrasso, Carper, Inhofe, Capito, Braun, Rounds, Sullivan, Boozman, Ernst, Cardin, Whitehouse, and Van Hollen.

OPENING STATEMENT OF HON. JOHN BARRASSO, U.S. SENATOR FROM THE STATE OF WYOMING

Senator BARRASSO. Welcome to this large crowd of paid staff and blood relatives. We are happy to have you here today.

[Laughter.]

Senator BARRASSO. Good morning. I call this business meeting to order. Today we are going to consider three bills and eight General Services Administration resolutions.

Senator Carper and I have agreed that we will begin voting at 10:15. At that time, I am going to call up the items on the agenda. We will not debate the items on the agenda while we are voting. Instead, we will debate the items on the agenda before we begin voting at 10:15. I am also happy to recognize any members who wish to make speeches or talk about the bills after the voting concludes.

The first bill we will consider is S. 383, the Utilizing Significant Emissions with Innovative Technologies Act, or the USE IT Act. The USE IT Act is a bipartisan piece of legislation to promote carbon capture technologies that take carbon out of the air and to find productive uses for it.

Carbon capture, utilization, and sequestration are needed to reduce the impacts of climate change, while also delivering abundant and affordable energy to the Nation.

You don't have to take my word for it; across the board, carbon capture is seen as a critically important technology. State governments, industry stakeholders, labor organizations like the Utility Workers Union of America, and environmental groups like the Audubon Society or The Nature Conservancy all recognize the importance of carbon capture.

At our hearing in February to consider the USE IT Act, we heard about the critical role of carbon capture technologies in addressing climate change. The Clean Air Task Force testified, "Carbon cap-

ture, utilization, and storage and direct air capture will play a crucial role in decarbonizing our global energy system."

Now, I have repeatedly said the best way to combat climate change is through innovation, not Government taxation or regulation. The USE IT Act will continue to cement the United States as a global innovation leader in carbon capture. The United Nations Intergovernmental Panel on Climate Change has recognized the pivotal role that carbon capture can play in meeting its climate targets.

My support for climate innovation does not rest on carbon capture alone. We have worked together in a bipartisan manner on this Committee to support the most reliable zero emission source of energy that we have, which is nuclear energy. Last year we passed the Nuclear Energy Innovation and Modernization Act. We must continue to address fundamental issues to allow nuclear energy to grow in the future, issues like the need to properly manage and dispose of spent nuclear fuel at Yucca Mountain.

The second bill we are going to consider today is another important step forward in addressing emissions that contribute to climate change, S. 747, the Diesel Emissions Reduction Act of 2019, or DERA. Since Congress first created the program in 2005, it has enjoyed broad bipartisan support. This legislation would reauthorize the Diesel Emissions Reduction Act through fiscal year 2024.

I want to thank the Ranking Member and his staff for his leadership on this program throughout the years. The program has been one of the most cost efficient clean air programs. Like the USE IT Act, the Diesel Emissions Reduction Act supports innovation led solutions to environmental protection.

Upgrading diesel engines not only reduces nitrogen oxide, but also emissions of both black carbon and carbon dioxide. Black carbon is a component of particulate matter that has a global warming potential that may be thousands of times higher than carbon dioxide over a 20-year timeframe.

So, today we are moving two bipartisan bills out of this Committee that are going to reduce emissions that contribute to climate change, and there will be more to come. The USE IT Act and the Diesel Emissions Reduction Act of 2019 each passed our Committee by voice vote in the last Congress. I urge my colleagues to once again support passage of these bills today, as we work it across the full Senate and get signed into law.

When we work together, we have shown that we can promote American leadership, grow our economy, and lower emissions.

The third bill we will consider is S. 1061, the John F. Kennedy Center Reauthorization Act of 2019, which reauthorizes funding for the Kennedy Center. Last Congress, this Committee approved this legislation by a voice vote, and the Senate passed it by unanimous consent.

We will also consider eight resolutions to approve prospectuses providing for General Services Administration lease acquisition and alteration.

After Ranking Member Carper gives his opening statement and other members make remarks, at 10:15 we will proceed to vote on the items on our agenda provided we have a reporting quorum.

After we finish voting, I will be happy to recognize other members who wish to speak.

I would now like to turn to our Ranking Member for comments that he might like to make.

OPENING STATEMENT OF HON. THOMAS R. CARPER, U.S. SENATOR FROM THE STATE OF DELAWARE

Senator CARPER. Thanks, Mr. Chairman.

Walking up from the train station this morning, I came out of Union Station and looked up Delaware Avenue to the Capitol, and I saw sunshine, I saw blue skies. The Capitol was just glistening in the sunlight. It was like what Christoph Toulouse would say, a top 10 day. It is just a glorious day.

And at a time when there is a fair amount of diversity and disagreement in our country, and frankly around the world, and our Government, and to some extent, in this Senate, there is something to celebrate, and that is when we can find common ground and work together to address some big challenges that we face on this planet, so I am happy to be here with all of you, grateful to the Chairman for convening us today.

I want to follow up on his remarks with remarks of my own about the two pieces of legislation that he was talking about that he and I have collaborated on, along with Sheldon Whitehouse, along with Jim Inhofe and others on this Committee, and one of those is the Diesel Emissions Reduction Act, known as DERA, and the Utilizing Significant Emissions with Innovative Technologies, known as the USE IT Act.

Both of these bills are good for our environment; they are also good for our economy, and they are important in our fight against climate change.

Some of our newer colleagues on our Committee have not heard this story before, so I am going to share it with you. I think it was 2005. George Voinovich, from Ohio—Republican, former Governor and Senator from Ohio, from Cleveland—came to me one day. He said, I would like to share with you an idea, a legislative idea that actually reduces emissions, harmful emissions from diesel engines. I said, how big a problem is that, and he said, well, there are millions of them. He said, the old diesel engines, the good thing about them is they last a long time; the bad thing about them is that they last a long time, and they spew out all kinds of stuff.

We have all sat at a stop light before and had a big diesel truck before us or besides us. When the light changes, the trucks hits out all this black stuff that comes out of their emissions. As the Chairman has mentioned, some of it is black carbon, and whether you believe in climate change or not, it is bad stuff. It can be as much as 1,000 times worse for our environment, for our climate than regular carbon dioxide.

They used to ask Willie Sutton, why do you rob banks—back in the Great Depression—and he said because that's where the money is. Well, carbon emissions, diesel emissions are where a lot of the bad stuff is coming from.

George said to me, he said, Tom, the nice thing about this technology is you can actually put it on existing diesel engines, boats, cars, trucks, locomotives, and he said it will reduce emissions by

as much as 90 percent. I said, well, that is great. He said, not only that, the technology is developed by Corning, up in New York, so it is American technology.

We can do good things for our environment, for our planet, and we can create jobs using American technology and sell the technology around the world, and this legislation has been, with Jim Inhofe's strong support and leadership, we have taken this up, we have reauthorized this every several years, and we are prepared to do that again.

I would just say there are a number of our colleagues on this Committee are cosponsors of this legislation. For those who aren't, I would urge you to join us; it is one of those great intersections between cleaner air, better environment, and creating jobs, American jobs. For me, that is the Holy Grail where we want to go to.

I want to thank all of our colleagues for being a big part of not only reauthorizing the Diesel Emissions Reduction Act, but actually making it better.

I was invited by Rob Portman to speak at a staff retreat last week, staff here on Capitol Hill, and it includes a lot of George Voinovich folks, alums, and I know that George is looking down today, very excited and happy with what we are doing.

The USE IT Act that we are voting on today, as the Chairman mentioned, is intended to support widespread development and deployment of carbon capture, utilization, and sequestration technologies, also known as CCUS. This includes making smart investments in direct air capture, which sucks carbon dioxide right out of the air.

I know some of this technology is nascent. I think they are doing more with it in Europe than we have been doing, but I like to say there is no silver bullet as we try to address these issues, but there are a lot of silver BBs, and a big one can be figuring out how to suck carbon right out of the air, and that is what we are pushing with this legislation in the USE IT Act.

I hasten to add that DERA and the USE IT Act cannot be the only climate actions that our Committee takes. We need broad, bold climate action to protect our planet.

That said, I do appreciate that now, at a time when our country is looking for ways to create jobs, achieve healthier air, and a safer climate, cleaning up dirty diesel engines and deploying CCUS are two of many ways we can achieve these goals.

That leads us to our third bipartisan bill, which would reauthorize funding for the Kennedy Center. I want to thank our Chairman for reintroducing this legislation. I am happy to co-sponsor the bill along with Senators Capito and Cardin. This bill is another excellent example of what we can accomplish when we work together to get things done, and I look forward to collaborating, Mr. Chairman, with you and all of our colleagues on this Committee, as well as our friends in the House and Senate to get it to the President's desk.

Today we are considering eight GSA prospectuses and resolutions. These are not controversial prospectuses; they have been identified as high priorities by the GSA.

I would ask for the opportunity just to enter into the record the rest of my statement.

Thank you, Mr. Chairman.

Senator BARRASSO. Without objection, we look forward to entering that into the record.

[The prepared statement of Senator Carper was not received at time of print.]

Senator BARRASSO. Senator Inhofe.

Senator INHOFE. Just real briefly. I always relish the time that Senator Carper and I can agree on something, and to have three bills in one meeting, I am excited about it.

Now, where are your Democrats? We need a quorum.

[Laughter.]

Senator BARRASSO. We had announced that we would vote at 10:15, and we are a little short of that number. A number of Democrats were here, but right now the Attorney General is testifying in another committee, as is the Secretary of State in a different committee, so I know people have been running in and out. We hope to be able to vote in a few seconds, when a couple more members will show up, so we will just stand in recess for a little while to wait for that.

Senator CARPER. I have asked my staff to reach out far and wide to get as many Democrats here as quickly as we can, so thank you for your patience.

[Recess.]

Senator BARRASSO. Well, now that members of the Committee have arrived, we will vote on the items of today's agenda.

The Ranking Member and I have agreed to vote on the three bills and eight General Services Administration resolutions en bloc by voice vote. Members may choose to have their votes recorded for a specific item in that bloc after the voice vote.

The Ranking Member and I have further agreed that S. 1061, the John F. Kennedy Center Reauthorization Act of 2019, which was introduced on April 8th, replaces the text that was circulated with a notice on April 5th. This introduced bill is identical to the text that was circulated.

I would now like to call up S. 383, the Utilizing Significant Emissions with Innovative Technologies Act; S. 747, the Diesel Emissions Reduction Act of 2019; S. 1061, the John F. Kennedy Center Reauthorization Act of 2019; and eight General Services Administration resolutions en bloc.

I move to approve and report S. 383, S. 747 and S. 1061 favorably to the Senate and approve eight GSA resolutions en bloc.

Is there a second?

Senator INHOFE. Second.

Senator CARPER. Second.

Senator BARRASSO. All those in favor say aye.

[Chorus of ayes.]

Senator BARRASSO. All those opposed, say nay.

[No audible response.]

Senator BARRASSO. In the opinion of the Chair, the ayes have it.

We have now approved S. 383, S. 747, S. 1061, which will be reported favorably to the Senate. We have also approved eight GSA resolutions.

The voting part of the meeting having finished, I am happy to recognize any member who wishes to make a statement on any of the legislation or resolutions we have just approved.

Seeing none, I have a number of letters of support for the legislation and I ask unanimous consent to enter into the record statements of support for the USE IT Act from the National Mining Association and the National Wildlife Federation.

[The referenced information follows:]



HAL QUINN
President & CEO

April 9, 2019

The Honorable John Barrasso
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Chairman Barrasso:

The National Mining Association commends you for your leadership in authoring and introducing S. 383, the Utilizing Significant Emissions with Innovative Technologies "USE IT" Act.

Global coal-fired power capacity has increased 62 percent since 2000 and, with that growing capacity, coal will continue to be a predominant fuel in the global energy mix.

Advanced coal technologies that increase efficiency and reduce emissions are being cost-effectively deployed around the globe as world coal consumption continues to grow. At present these technologies are being underutilized in the U.S., even while 67 percent of voters say the U.S. should be doing more to encourage their use here at home.

With smart incentives, such as those included in the "USE IT" Act, the U.S. could deliver both the fuel diversity and emissions reductions voters want by embracing innovation and encouraging the adoption of advanced coal technologies.

Specifically, we support provisions that promote further research and development of technologies that will convert carbon into products of commercial value. We also support the goal of reviewing and developing policy guidance to facilitate the permitting of the necessary supporting infrastructure including carbon dioxide pipelines.

The success of any effort to address the changing climate will rest with innovation and technology – utilizing both the technologies that exist today and investing in new technologies for tomorrow. The USE IT Act is an important step forward in advancing commonsense, meaningful action to reduce emissions globally. The U.S. has always been home to pioneering innovation and cutting-edge technologies; through the USE IT Act, we can help bring important carbon capture technologies to commercial reality, incentivize their use at home and export them to the rest of the world.

Thank you for putting forward this legislation.

Sincerely,

Hal Quinn

Carbon Removal Among Strategies Needed to Stabilize Climate

WASHINGTON, D.C. (April 10, 2019) — As the U.S. Senate Committee on Environment and Public works considers a bill aimed at carbon removal strategies, Collin O'Mara, president and CEO of the National Wildlife Federation said:

"We need to leverage every possible tool and technology to lessen climate impacts that are bearing down on people and wildlife, from catastrophic megafires to severe weather. To give ourselves the best chance to stabilize the climate, it's essential to invest now in both natural solutions and technologies that can remove, store and reuse the carbon fueling climate change, so that we can protect our natural resources and wildlife for future generations. That's why the National Wildlife Federation has joined the Carbon Capture Coalition to work with a diverse group of stakeholders seeking to advance carbon removal strategies that are good for our natural resources and workers alike. The leadership from Senators Barrasso and Whitehouse on bills like the USE It Act (S. 383) represents the bipartisan progress we need to advance technology for mid-century climate goals."

Senator BARRASSO. I also ask unanimous consent to enter into the record a letter of support of the Diesel Emissions Reduction Act of 2019 from the U.S. Chamber of Congress.

Without objection, it is done.

[The referenced information follows:]

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

NEIL L. BRADLEY
EXECUTIVE VICE PRESIDENT &
CHIEF POLICY OFFICER

1615 H STREET, NW
WASHINGTON, DC 20062
(202) 463-5310

April 8, 2019

The Honorable John Barrasso
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Tom Carper
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Chairman Barrasso and Ranking Member Carper:

The U.S. Chamber of Commerce strongly supports S. 747, the bipartisan Diesel Emissions Reduction Act (DERA) of 2019.

The DERA program, originally established in 2005, has proven to be a model example of the cooperative, solutions-focused framework that is central to the Clean Air Act's success, bringing together a broad and diverse coalition of regulators, manufacturers, and emissions control providers to work together to improve air quality. The DERA Act of 2019 would build on this record of success by extending the program through 2024 at an authorized funding level of $100 million per year.

The DERA program is widely regarded for its record of providing effective tools to address air quality issues at the local level. While modern diesel engines are extremely clean and technologically advanced, because they can operate for 30 years or more, millions of older, dirtier engines are still in use. The voluntary DERA program provides competitive grants and rebates to projects that replace or upgrade those older engines, often reducing pollutant emissions by more than 90 percent. According to EPA, between 2008 and 2013, DERA funding helped retrofit or replace over 73,000 vehicles, equipment and engines.

The Chamber commends the Committee for its important work, and urges it to favorably report S. 747 to the full Senate.

Sincerely,

Neil L. Bradley

cc: Members of the Senate Committee on Environment and Public Works

Senator BARRASSO. I ask unanimous consent that the staff have authority to make technical and conforming changes to each of the matters approved today.

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

[Whereupon, at 10:25 a.m. the Committee was adjourned.]

[Text of legislation and additional material follow:]

II

116TH CONGRESS
1ST SESSION

S. 383

To support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2019

Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, Ms. DUCKWORTH, Mr. CRAMER, Ms. SMITH, Mr. MANCHIN, Mr. CARPER, and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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A BILL

To support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Utilizing Significant Emissions with Innovative Technologies Act" or the "USE IT Act".

TITLE I—ENCOURAGING PROJECTS TO REDUCE EMISSIONS

SEC. 101. RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.

Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking "percursors" and inserting "precursors"; and

(2) in subsection (g)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(B) in the undesignated matter following subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking "The Administrator" and inserting the following:

"(5) COORDINATION AND AVOIDANCE OF DUPLICATION.—The Administrator"; and

(ii) in the first sentence, by striking "Nothing" and inserting the following:

"(4) EFFECT OF SUBSECTION.—Nothing";

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) in the third sentence, by striking "Such program" and inserting the following:

"(3) PROGRAM INCLUSIONS.—The program under this subsection";

(ii) in the second sentence—

(I) by inserting "States, institutions of higher education," after "scientists,"; and

(II) by striking "Such strategies and technologies shall be developed" and inserting the following:

"(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed"; and

(iii) in the first sentence, by striking "In carrying out" and inserting the following:

"(1) IN GENERAL.—In carrying out"; and

(D) by adding at the end the following:

"(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

"(A) IN GENERAL.—In carrying out paragraph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities de-

scribed in each of subparagraphs (B), (C), (D), and (E).

"(B) DIRECT AIR CAPTURE RESEARCH.—

"(i) DEFINITIONS.—In this subparagraph:

"(I) BOARD.—The term 'Board' means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

"(II) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

"(III) DIRECT AIR CAPTURE.—

"(aa) IN GENERAL.—The term 'direct air capture', with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air.

"(bb) EXCLUSION.—The term 'direct air capture' does not include any facility, technology,

or system that captures carbon dioxide—

"(AA) that is deliberately released from a naturally occurring subsurface spring; or

"(BB) using natural photosynthesis.

"(IV) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

"(aa) an invention that is patentable under title 35, United States Code; and

"(bb) any patent on an invention described in item (aa).

"(ii) TECHNOLOGY PRIZES.—

"(I) IN GENERAL.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from

media in which the concentration of carbon dioxide is dilute.

"(II) DUTIES.—In carrying out this clause, the Administrator shall—

"(aa) subject to subclause (III), develop specific requirements for—

"(AA) the competition process; and

"(BB) the demonstration of performance of approved projects;

"(bb) offer financial awards for a project designed—

"(AA) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

"(BB) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

"(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

"(AA) 1 project in a coastal State; and

"(BB) 1 project in a rural State.

"(III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall—

"(aa) provide notice of and, for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (II)(aa); and

"(bb) take into account public comments received in developing the final version of those requirements.

"(iii) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—

"(I) ESTABLISHMENT.—There is established an advisory board to be known as the 'Direct Air Capture Technology Advisory Board'.

"(II) COMPOSITION.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

"(aa) climate science;

"(bb) physics;

"(cc) chemistry;

"(dd) biology;

"(ee) engineering;

"(ff) economics;

"(gg) business management; and

"(hh) such other disciplines as the Administrator determines to be necessary to achieve the purposes of this subparagraph.

"(III) TERM; VACANCIES.—

"(aa) TERM.—A member of the Board shall serve for a term of 6 years.

"(bb) VACANCIES.—A vacancy on the Board—

"(AA) shall not affect the powers of the Board; and

"(BB) shall be filled in the same manner as the original appointment was made.

"(IV) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

"(V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

"(VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

"(VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chair-

person from among the members of the Board.

"(VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

"(IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

"(X) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

"(iv) INTELLECTUAL PROPERTY.—

"(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from

the technology in 1 or more entities that are incorporated in the United States.

"(II) RESERVATION OF LICENSE.—The United States—

"(aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subclause (I); but

"(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

"(III) TRANSFER OF TITLE.—Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

"(v) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $35,000,000, to remain available until expended.

"(vi) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subparagraph shall terminate not later than 10 years after the date of enactment of the USE IT Act.

"(C) CARBON DIOXIDE UTILIZATION RESEARCH.—

"(i) DEFINITION OF CARBON DIOXIDE UTILIZATION.—In this subparagraph, the term 'carbon dioxide utilization' refers to technologies or approaches that lead to the use of carbon dioxide—

"(I) through the fixation of carbon dioxide through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria;

"(II) through the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is securely stored; or

"(III) through the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

"(ii) PROGRAM.—The Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commercial value, or as an input to products of commercial value.

"(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall support research and infrastructure activities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

"(iv) ELIGIBILITY.—To be eligible to receive technical assistance and financial

assistance under clause (iii), a carbon dioxide utilization project shall—

"(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

"(II) have access to adequate space for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test bays for scale-up; and

"(III) have existing partnerships with institutions of higher education, private companies, States, or other government entities.

"(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher edu-

cation to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

"(vi) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $50,000,000, to remain available until expended.

"(D) DEEP SALINE FORMATION REPORT.—

"(i) DEFINITION OF DEEP SALINE FORMATION.—

"(I) IN GENERAL.—In this subparagraph, the term 'deep saline formation' means a formation of subsurface geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

"(II) CLARIFICATION.—In this subparagraph, the term 'deep saline

formation' does not include oil and gas reservoirs.

"(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

"(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;

"(II) recommendations for managing the potential risks identified under subclause (I), including potential risks unique to public land; and

"(III) recommendations for Federal legislation or other policy changes

to mitigate any potential risks identified under subclause (I).

"(E) REPORT ON CARBON DIOXIDE NONREGULATORY STRATEGIES AND TECHNOLOGIES.—

"(i) IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

"(I) the recipients of assistance under subparagraphs (B) and (C); and

"(II) a plan for supporting additional nonregulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

"(ii) INCLUSIONS.—The plan submitted under clause (i) shall include—

"(I) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

"(II) a description of any nonair-related environmental or energy considerations regarding the technologies.

"(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

"(i) identifies all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

"(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) overlap or are duplicative.".

TITLE II—IMPROVEMENT OF PERMITTING PROCESS FOR CARBON DIOXIDE CAPTURE AND INFRASTRUCTURE PROJECTS

SEC. 201. INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.

Section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting "carbon capture," after "manufacturing,";

(B) in clause (i)(III), by striking "or" at the end;

(C) by redesignating clause (ii) as clause (iii); and

(D) by inserting after clause (i) the following:

"(ii) is covered by a programmatic plan or environmental review developed for the primary purpose of facilitating development of carbon dioxide pipelines; or"; and

(2) by adding at the end the following:

"(C) INCLUSION.—For purposes of subparagraph (A), construction of infrastructure for carbon capture includes construction of—

"(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)); and

"(ii) carbon dioxide pipelines.".

SEC. 202. DEVELOPMENT OF CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION REPORT, PERMITTING GUIDANCE, AND REGIONAL PERMITTING TASK FORCE.

(a) DEFINITIONS.—In this section:

(1) CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.—The term "carbon capture, utilization, and sequestration projects" includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))).

(2) EFFICIENT, ORDERLY, AND RESPONSIBLE.—The term "efficient, orderly, and responsible" means, with respect to development or the permitting process for carbon capture, utilization,

and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the "Chair"), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(A) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(i) the appropriate points of interaction with Federal agencies;

(ii) clarification of the permitting responsibilities and authorities among Federal agencies; and

(iii) best practices and templates for permitting;

(B) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(C) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(D) identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(E) identifies Federal financing mechanisms available to project developers.

(2) SUBMISSION; PUBLICATION.—The Chair shall—

(A) submit the report under paragraph (1) to the Committee on Environment and Public

Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(B) as soon as practicable, make the report publicly available.

(c) GUIDANCE.—

(1) IN GENERAL.—After submission of the report under subsection (b)(2), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all relevant Federal agencies that—

(A) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(B) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The guidance under paragraph (1) shall address requirements under—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(iii) the Clean Air Act (42 U.S.C. 7401 et seq.);

(iv) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(v) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(vi) division A of subtitle III of title 54, United States Code (formerly known as the "National Historic Preservation Act");

(vii) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(viii) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the "Bald and Golden Eagle Protection Act"); and

(ix) any other Federal law that the Chair determines to be appropriate.

(B) ENVIRONMENTAL REVIEWS.—The guidance under paragraph (1) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environ-

mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(C) PUBLIC INVOLVEMENT.—The guidance under paragraph (1) shall be subject to the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(3) SUBMISSION; PUBLICATION.—The Chair shall—

(A) submit the guidance under paragraph (1) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(B) as soon as practicable, make the guidance publicly available.

(4) EVALUATION.—The Chair shall—

(A) periodically evaluate the reports of the task forces under subsection (d)(5) and, as necessary, revise the guidance under paragraph (1); and

(B) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under subsection (d)(5).

(d) TASK FORCE.—

(1) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues—

(A) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and

(B) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(2) MEMBERS AND SELECTION.—

(A) IN GENERAL.—The Chair shall—

(i) develop criteria for the selection of members to each task force; and

(ii) select members for each task force in accordance with clause (i) and subparagraph (B).

(B) MEMBERS.—Each task force—

(i) shall include not less than 1 representative of each of—

(I) the Environmental Protection Agency;

(II) the Department of Energy;

(III) the Department of the Interior;

(IV) any other Federal agency the Chair determines to be appropriate;

(V) any State that requests participation in the geographical area covered by the task force;

(VI) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(VII) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and

(ii) at the request of a Tribal or local government, may include a representative of—

(I) not less than 1 local government in the geographical area covered by the task force; and

(II) not less than 1 Tribal government in the geographical area covered by the task force.

(3) MEETINGS.—

(A) IN GENERAL.—Each task force shall meet not less than twice each year.

(B) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(4) DUTIES.—Each task force shall—

(A) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and car-

bon dioxide pipelines, including best practices that—

(i) avoid duplicative reviews;

(ii) engage stakeholders early in the permitting process; and

(iii) make the permitting process efficient, orderly, and responsible;

(B) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;

(C) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under subparagraph (B);

(D) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(E) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(F) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(G) identify Federal and State financing mechanisms available to project developers; and

(H) develop recommendations for relevant Federal agencies on how to develop and research technologies that—

(i) can capture carbon dioxide; and

(ii) would be able to be deployed within the region covered by the task force, including any projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)).

(5) REPORT.—Each year, each task force shall prepare and submit to the Chair and to the other task forces a report that includes—

(A) any recommendations for improvements in efficient, orderly, and responsible issuance or administration of Federal permits and other Federal authorizations required

under a law described in subsection (c)(2)(A); and

(B) any other nationally relevant information that the task force has collected in carrying out the duties under paragraph (4).

(6) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—

(A) reevaluate the need for the task forces; and

(B) submit to Congress a recommendation as to whether the task forces should continue.

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II

116TH CONGRESS
1ST SESSION

S. 747

To reauthorize the diesel emissions reduction program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2019

Mr. CARPER (for himself, Mr. INHOFE, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. SULLIVAN, Mr. BOOKER, Mrs. CAPITO, Mrs. GILLIBRAND, Mr. CRAMER, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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A BILL

To reauthorize the diesel emissions reduction program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Diesel Emissions Reduction Act of 2019".

SEC. 2. REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.

Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking "2016" and inserting "2024".

SEC. 3. RECOGNIZING DIFFERENCES IN DIESEL VEHICLE, ENGINE, EQUIPMENT, AND FLEET USE.

(a) NATIONAL GRANT, REBATE, AND LOAN PROGRAMS.—Section 792(c)(4)(D) of the Energy Policy Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended by inserting ", recognizing differences in typical vehicle, engine, equipment, and fleet use throughout the United States" before the semicolon.

(b) STATE GRANT, REBATE, AND LOAN PROGRAMS.—Section 793(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16133(b)(1)) is amended—

(1) in subparagraph (B), by striking "; and" and inserting a semicolon; and

(2) by adding at the end the following:

"(D) the recognition, for purposes of implementing this section, of differences in typical vehicle, engine, equipment, and fleet use throughout the United States, including expected useful life; and".

SEC. 4. REALLOCATION OF UNUSED STATE FUNDS.

Section 793(c)(2)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16133(c)(2)(C)) is amended beginning in the matter preceding clause (i) by striking "to each remaining" and all that follows through "this paragraph" in clause (ii) and inserting "to carry out section 792".

○

EDW19120 S.L.C.

116TH CONGRESS
1ST SESSION

S. 1061

To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BARRASSO (for himself, Mr. Carper, Mrs. Capito, Mr. Cardin, and Mr. Warner) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works.

A BILL

To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "John F. Kennedy Center Reauthorization Act of 2019".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

"(a) MAINTENANCE, REPAIR, AND SECURITY.—There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

"(1) $26,000,000 for fiscal year 2020;

"(2) $27,000,000 for fiscal year 2021;

"(3) $28,000,000 for fiscal year 2022;

"(4) $29,000,000 for fiscal year 2023; and

"(5) $30,000,000 for fiscal year 2024.

"(b) CAPITAL PROJECTS.—There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

"(1) $17,000,000 for fiscal year 2020;

"(2) $18,000,000 for fiscal year 2021;

"(3) $19,000,000 for fiscal year 2022;

"(4) $20,000,000 for fiscal year 2023; and

"(5) $21,000,000 for fiscal year 2024.".

SEC. 3. COMMEMORATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the John F. Kennedy Center for the Performing Arts (referred to in this Act as the "Center")—

(1) recognize the year 2021 as the 50th anniversary of the opening of the Center;

(2) acknowledge and commemorate the mission of the Center as a national center for the performing

arts and a national memorial to President John F. Kennedy; and

(3) recognize that the year 2018 is the 60th anniversary of the signing of the National Cultural Center Act (now known as the "John F. Kennedy Center Act") (20 U.S.C. 76h et seq.), signed into law by President Dwight D. Eisenhower on September 2, 1958.

(b) AUTHORIZATION FOR PLAQUE.—

(1) IN GENERAL.—The Center shall place within the Center a plaque containing an inscription to commemorate the 60th anniversary of the signing of the National Cultural Center Act (20 U.S.C. 76h et seq.) by President Dwight D. Eisenhower.

(2) SPECIFICATIONS.—The plaque shall be—

(A)(i) not less than 6 square feet in size; and

(ii) not more than 18 square feet in size;

(B) of any shape that the Trustees of the Center determine to be appropriate; and

(C) placed at a location within the Center approximate to the Eisenhower Theater that the Trustees of the Center determine to be appropriate.

(3) FUNDING.—

(A) IN GENERAL.—No Federal funds may be used to design, procure, or install the plaque.

(B) EXCEPTION.—Subparagraph (A) shall not affect the payment of salaries, expenses, and benefits otherwise authorized by law for members and employees of the Center who participate in carrying out this subsection.

(4) PRIVATE FUNDRAISING AUTHORIZED.—

(A) IN GENERAL.—The Center may solicit and accept private contributions for the design, procurement, and installation of the plaque.

(B) ACCOUNTING.—The Center may—

(i) establish an account into which any contributions received pursuant to subparagraph (A) shall be deposited; and

(ii) maintain documentation of any contributions received pursuant to subparagraph (A).

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
JAMAICA, NY
PNY-01-QU19

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for a lease of approximately 224,000 rentable square feet of space, including approximately 100 official parking spaces, for the Department of Health and Human Services-Food and Drug Adminsitration currently located at 158-15 Liberty Avenue in Jamaica, New York at a proposed total annual cost of $6,944,000 for a lease term of up to 10 years, a prospectus for which is attached hereto and by reference made part of this resolution, is approved.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, that to the maximum extent practicable, the Administrator of General Services shall require that the procurement include energy efficiency requirements as would be required for the construction of a federal building.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Environment and Public Works of the United States Senate prior to exercising any lease authority provided in this resolution.

Provided further, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

Provided further, that the Administrator shall not delegate to any other agency the authority granted by this resolution.

Chairman **Ranking Member**

Adopted: April 10, 2019

COMMITTEE RESOLUTION

ALTERATION
MAJOR GENERAL EMMETT J. BEAN FEDERAL CENTER
INDIANAPOLIS, IN
PIN-1703-IN18

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for repairs and alterations to renovate space and consolidate Federal agencies currently housed in leased space at the Major General Emmett J. Bean Federal Center located at 8899 East 56th Street in Indianapolis, Indiana at a design cost of $3,425,000, and estimated construction cost of $39,707,000 and a management and inspection cost of $2,808,000 for a total estimated project cost of $45,950,000, a description of which is attached hereto and by reference made part of this resolution, is approved.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Chairman

Ranking Member

Adopted: April 10, 2019

COMMITTEE RESOLUTION

ALTERATION
JAMES C. CORMAN FEDERAL BUILDING
VAN NUYS, CA
PCA-0007-LA18

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for repairs and alterations to replace roof, upgrade building systems, and improve egress and life-safety at the James C. Corman Federal Building located at 6230 Van Nuys Boulevard in Van Nuys, California at a design cost of $1,830,000, an estimated construction cost of $10,704,000 and a management and inspection cost of $803,000 for a total estimated project cost of $12,690,000, a description of which is attached hereto and by reference made part of this resolution, is approved.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Chairman **Ranking Member**

Adopted: April 10, 2019

AMENDED COMMITTEE RESOLUTION

ALTERATION
FEDERAL OFFICE BUILDING
SEATTLE, WA
PWA-0036-SE18

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for the restoration of the deteriorated exterior façade to stop material degradation and water intrusion into the building and replace the roof on the wing and dome shoulder at the Federal Office Building located at 909 1st Avenue in Seattle, Washington at an additional design cost of $351,000, an additional estimated project cost of $3,377,000, and a reduction of the management and inspection cost of $344,000 for an additional project cost of $3,384,000 and a total estimated project cost of $24,234,000, a description of which is attached hereto and by reference made part of this resolution, is approved. This resolution amends the authorization of the Committee on January 20, 2016 of Prospectus No. PWA-0036-SE16.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Chairman

Ranking Member

Adopted: April 10, 2019

AMENDED COMMITTEE RESOLUTION

ALTERATION
PACIFIC HIGHWAY U.S. LAND PORT OF ENTRY
BLAINE, WA
PWA-00BN-BL18

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for repairs and alterations to resolve exterior deficiencies and promote energy savings at the Pacific Highway U.S. Land Port of Entry located in Blaine, Washington at an additional cost of $657,000, an additional estimated construction cost of $5,016,000 and an additional management and inspection cost of $357,000 for an additional project cost of $6,030,000 and a total estimated project cost of $17,960,000, a description of which is attached hereto and by reference made part of this resolution, is approved. This resolution amends the authorization of the Committee on January 20, 2016 for Prospectus No. PWA-00BN-BL16.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Chairman **Ranking Member**

Adopted: April 10, 2019

COMMITTEE RESOLUTION

ALTERATION
ANTHONY J. CELEBREZZE FEDERAL BUIDLING
CLEVELAND, OH
POH-0192-CL18

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for repairs and alterations for repairs and alterations to renovate and provide consolidated space for the Veterans Benefits Administration, the Department of Labor Office of Workers' Compensation Programs and the Department of Education at the Anthony J. Celebrezze Federal Building located at 1240 East 9th Street in Cleveland, Ohio at a design cost of $6,008,000, an estimated construction cost of $63,362,000 and a management and inspection cost of $4,854,000 for a total estimated project cost of $74,224,000, a description of which is attached hereto and by reference made part of this resolution, is approved.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Chairman **Ranking Member**

Adopted: April 10, 2019

COMMITTEE RESOLUTION

ALTERATION
IRS SERVICE CENTER
OGDEN, UT
PUT-0036-OG18

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for repairs and alterations for interior repairs, upgrade of aging building systems and infrastructure, site work, hazardous materials abatement, and life safety upgrades at the U.S. Department of the Treasury Internal Revenue Service Center located at 1160 West 1200 South in Ogden, UT at a design cost of $4,080,000, an estimated construction cost of $45,074,000 and a management and inspection and cost of $2,087,000 for a total estimated project cost of $51,241,000, a prospectus for which is attached hereto and by reference made part of this resolution.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Chairman **Ranking Member**

Adopted: April 10, 2019

COMMITTEE RESOLUTION

BUILDING ACQUISITION
DEPARTMENT OF TRANSPORTATION HEADQUARTERS
1200 NEW JERSEY AVENUE, SOUTHEAST
WASHINGTON, DC
PDC-0689-WA19

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for the acquisition, through a purchase option under an existing lease, of the building located at 1200 New Jersey Avenue SE in Washington, DC composed of 1,900,000 gross square feet and 936 indoor parking spaces currently occupied by the Department of Transportation at a building and site acquisition cost of $760,000,000, closing costs of $7,900,000, and a total estimated project cost of $767,900,000, a description of which is attached hereto and by reference made part of this resolution, is approved.

Provided, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

Provided further, that the Administrator shall not delegate to any other agency the authority granted by this resolution.

Chairman **Ranking Member**

Adopted: April 10, 2019

April 24, 2019

Senator John Barrasso
Chairman
Committee on Environment and
Public Works
U.S. Senate
Washington, D.C. 20510

Senator Tom Carper
Ranking Member
Committee on Environment and
Public Works
U.S. Senate
Washington, D.C. 20510

Dear Senators:

The more than 8,000 members of the American Road and Transportation Builders Association (ARTBA) would like to thank you for your leadership in advancing the bipartisan Diesel Emissions Reduction Act (DERA) of 2019, S. 747. This important legislation would provide states and local governments with financial support and incentives to help improve air quality by making possible the "retrofitting" or replacing of older diesel engines.

While the quality of the nation's air continues to improve, new federal Clean Air Act standards for ozone and particulate matter threaten to thrust hundreds of communities out of compliance. As a result, these areas risk having their federal highway funds withheld. Denying states funds for needed highway improvement projects would only exacerbate the traffic congestion that leads to increased motor vehicle emissions.

DERA provides a constructive solution to this challenge by establishing a source of funding for voluntary programs to upgrade diesel engines, including those used in the transportation construction industry, to reduce their emissions. ARTBA has long believed the federal government should be a partner with our industry in the effort to reduce off road diesel emissions. To this end, not only has ARTBA supported past reauthorizations of DERA and but we have also advocated to allow states to use federal Congestion Mitigation and Air Quality Program funds for diesel retrofit initiatives.

DERA is critical legislation that will help transportation construction firms meet federal requirements by facilitating the use of cleaner burning diesel engines. We look forward to supporting its passage on the Senate floor.

Sincerely,

David Bauer
President & CEO

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