

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

Subcommittee on Environment Ranking Member Paul Tonko

***Hearing on “Ready for Reuse: Legislative Proposals to Unleash the Potential of America's
Brownfields Sites”***

March 4, 2026

Thank you, Mr. Chair. EPA’s Brownfields program has a long history of bipartisan support, in large part because it has proven to be so successful. More than 42,000 sites have been revitalized, enabling blighted properties to be put back into productive use, increasing property values and local tax revenue, preserving greenfields, and creating jobs. And the program has done this work incredibly efficiently. Each federal dollar spent by EPA leverages nearly 20 non-federal dollars. So, I am grateful that we’re having the opportunity to consider legislation to reauthorize the program.

In my view, there are some tweaks that can strengthen the program, including raising the cap on grant amounts and allowing for cost share requirements to be waived in small and disadvantaged communities. Along with reauthorizing the program and the State Response program, these reforms would represent modest, but important improvements.

These concepts are well-represented in the Brownfields Reauthorization for an Affordable and Revitalized America Act offered by Ranking Member Pallone.

Some of these ideas are also included in the majority’s Brownfields Revitalization for a Better Tomorrow Act. I would recommend to my friends in the majority that we build upon these areas of consensus. Because unfortunately, the majority’s proposals go far beyond the reforms I’ve outlined and risk jeopardizing the program’s historic bipartisan support.

First, the majority’s proposals create a new category of properties to be prioritized for brownfields funding, so-called “nationally significant infrastructure facilities”. These sites include data centers, critical mineral processing, and semiconductor manufacturing.

I want to be clear that I am not opposed to brownfields being revitalized for these purposes, if that’s what communities want. But I am concerned by the notion of tilting the program, with its limited resources, towards these types of projects.

There is no shortage of private capital, as well as other federal grants and loans, being used for these types of projects. Hyperscalers are developing data centers with price tags well over \$1 billion. We should ask ourselves whether giving tech companies a few hundred thousand dollars more in federal funds is truly the best use of our resources? Or could those funds be better utilized for purposes that aren’t as well-resourced, such as building affordable housing and developing parks?

Additionally, the majority's definition of nationally significant infrastructure facilities replaces an existing prioritization for renewable energy and energy efficiency projects, expanding the program to prioritize any and all energy generation.

There was bipartisan support to prioritize renewables in the program nearly a decade ago. Adding solar to an industrial site can be an attractive option— allowing for productive land use without major risks of re-contaminating the property. The same isn't true if that site were to be used for a coal-fired power plant, but the majority's proposal would prioritize these types of projects equally.

The Brownfields Inventory and Permitting Efficiency Act would mandate that states use at least 5% of their limited federal funds to develop an inventory for nationally significant infrastructure facilities. I have no problem if states want to spend their money this way, but it makes no sense to force them to do so, especially if they would rather use those dollars to fund remediation activities.

This bill also provides a NEPA exemption for nationally significant infrastructure projects. This is a complete nonstarter. A site receiving a couple hundred thousand dollars in Brownfields money in no way justifies that site being completely exempted from the NEPA process. That is policymaking far beyond the scope of a brownfields reauthorization effort.

Finally, the Brownfields Infrastructure Finance and Innovation Act is a solution in search of a problem. It would allow EPA to provide loans and loan guarantees up to \$4 million, rather than traditional grants. If the issue is stretching federal dollars further by allowing for revolving loans, EPA already has a track record of doing this. But this pilot program would siphon limited dollars away from the wide range of projects that communities want and towards that limited definition of nationally significant infrastructure facilities.

The Brownfields program is an incredible investment of federal dollars. It enables local governments to support environmental and economic revitalization by turning a liability into an opportunity. The program is working. Let's not mess with a good thing.

I look forward to today's discussion, and I hope we can work together on the areas of consensus to make sure this program has the resources and authorities necessary to continue its great work. With that, I yield back.