

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

Subcommittee on Environment Ranking Member Paul Tonko

***Hearing on “Help or Hindrance? The Impact of U.S. Environmental Laws on Critical
Material Supply Chains, National Security, and Economic Growth”***

April 22, 2026

Thank you, Mr. Chairman. Happy Earth Day everyone.

I can remember the first Earth Day, in 1970, when Americans — especially young people — came together to celebrate our shared home and to raise awareness for the need to better protect it.

Back then we had big problems threatening our public health and our economy — rivers on fire, thick smog poisoning our lungs, and PCBs dumped in our waterways.

It is not hard to understand why bipartisan majorities in Congress worked together to address these issues, and no one can deny the success of the laws born out of that moment.

But today we face another generation of environmental threats — climate change, PFAS, and plastic waste, to name a few.

So, as we gather together on this Earth Day, rather than examine how we can work together to solve these challenges, the majority would prefer to discuss how our successful, legacy environmental laws are failing us. That is the completely wrong approach to frame a conversation that I truly believe is worth having.

Critical materials are important. We need more of them. We should be seeking to reduce our reliance on unreliable, foreign supply chains that may have security or ethical concerns.

We should be promoting ways to raise the bar for environmental, labor, and human rights standards to ensure that these materials are sourced responsibly, regardless of where the extraction and processing occurs.

When we enter into bilateral mineral agreements, we should be requiring foreign nations to raise their standards to match ours, rather than having Congress consider how to lower our standards to match these competitors.

It is why I have long called for increasing the transparency and traceability of our critical material supply chains to identify problems with overseas minerals and to hold bad actors accountable.

I have no reason to doubt the motivations of members of the majority. I believe that they believe promoting more secure critical mineral supply chains is a national security and economic competitiveness imperative. But if that is true, then those Members should be much more willing to embrace policy priorities supported by House Democrats, meeting us halfway on areas where we can agree to legislate meaningful and durable policy.

Unfortunately, over the past 16 months, we have witnessed Congressional Republicans and the Trump Administration repeal major incentives and regulations that were already working to induce demand for domestic critical minerals.

That includes the Republicans' repeal of the 30D Clean Vehicle Tax Credit, which derived up to half of its value from a vehicle's use of an American-made battery with compliant mineral components. Additionally, the Trump Administration has terminated hundreds of millions of dollars in grants to domestic battery manufacturers.

The uncertainty that has been created by these decisions has resulted in the cancellation of tens of billions of dollars of private sector investments intended to build a domestic clean energy industry to compete with China.

These ideologically driven actions are making our supply chain vulnerabilities worse. Plain and simple.

Instead, we will consider this majority's preferred solution to every industrial challenge — repealing our nation's environmental and public health laws.

It is tiresome. It is not getting us any closer to enacting meaningful or durable Federal policy.

So instead, I would recommend that we have a conversation about how Federal laws can play a constructive role in achieving our shared goals. In my view, that could start with a national Extended Producer Responsibility program for lithium-ion batteries and e-waste. Every expert agrees that recycling can address a significant part of our needs.

Once we have gone through the trouble of importing critical materials, by imposing collection, reuse, and recycling requirements, we can ensure that those materials stay in the United States and displace the need for additional imports in the future.

I will not suggest that negotiating such a bill would be easy. Doing serious legislative work never is. But we need to start somewhere.

And the sooner we can move past the notion that simply waiving environmental protections will single-handedly unleash our domestic critical mineral industry, the sooner we can begin work on policies where we may be able to find common ground.

April 22, 2026

Page 3

So, on this Earth Day, I want to again encourage us to consider how the next generation of environmental laws can play a role in addressing some of the biggest public health and economic threats facing our nation, just as Members did in the 1970s.

Thank you. I yield back.