

**U.S. House Committee on Energy and Commerce  
Subcommittee on Environment**

**“Ready for Reuse: Legislative Proposals to Unleash the Potential of America’s Brownfields  
Sites.”**

**March 4, 2026**

**Documents for the Record**

1. March 4, 2026, Letter from Americans for Prosperity addressed to Chairman Guthrie, Chairman Palmer, Ranking Member Pallone, and Ranking Member Tonko, submitted by the Majority.
2. March 3, 2026, LinkedIn post made by American Critical Minerals Association, submitted by the Majority.
3. February 28, 2026, LinkedIn post made by Michael R. Goldstein, submitted by the Majority.
4. March 4, 2026, Letter from Associated General Contractors (AGC) addressed to Chairman Palmer and Ranking Member Tonko, submitted by the Majority.
5. March 4, 2026, Letter from Digital Power Network addressed to Chairman Palmer and Ranking Member Tonko, submitted by the Majority.
6. March 4, 2026, Letter from U.S. Chamber of Commerce addressed to Chairman Palmer and Ranking Member Tonko, submitted by the Majority.
7. March 4, 2026, Joint industry association letter addressed to Chairman Guthrie, Chairman Palmer, Ranking Member Pallone, and Ranking Member Tonko, submitted by the Majority and Minority.
8. March 4, 2026, Photograph, submitted by The Majority.
9. 2026, Statement from the National Brownfields Coalition, submitted by the Minority.



March 4<sup>th</sup>, 2026

The Honorable Brett Guthrie  
Chairman  
House Energy & Commerce Committee

The Honorable Frank J. Pallone  
Ranking Member  
House Energy & Commerce Committee

The Honorable Gary Palmer  
Chairman  
Subcommittee on Environment  
House Energy & Commerce Committee

The Honorable Paul Tonko  
Ranking Member  
Subcommittee on Environment  
House Energy & Commerce Committee

RE: *Ready for Reuse: Legislative Proposals to Unleash the Potential of America's Brownfield Sites*

Dear Congressman Guthrie, Congressman Palmer, and Members of the Committee:

On behalf of Americans for Prosperity and our grassroots activists across the country, thank you for conducting this hearing today to discuss common sense measures that can help unleash energy abundance and strengthen our economy.

The draft legislative proposals that would amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) highlight the interplay between environmental statutes, energy production, and the stifling regulatory delays that have thwarted development on contaminated sites. As a whole, these drafts provide a pathway for progress in our energy sector at a time when energy demand is increasing exponentially.

The "Brownfields Revitalization for a Better Tomorrow Act" would amend CERCLA by adding a provision allowing a "nationally significant infrastructure facility" to be eligible for funding for brownfield remediation. Those facilities are defined as ones for the fabrication, assembly, testing, advanced packaging, production, or research and development of semiconductors; those for the extraction and recovery, refining, or processing of critical minerals or rare earth elements; those used for artificial intelligence, including a data center and any other infrastructure that supports artificial intelligence; and those used for energy generation.

In an innovative spirit, the committee is also considering the "Brownfields Infrastructure Finance and Innovation Act" that directs the Administrator of the Environmental Protection Agency (EPA) to establish a pilot program to provide, during Fiscal Years 2028 and 2029, assistance in the form of loans and loan guarantees to covered entities to conduct eligible projects at one or more brownfield sites.

With opportunities to amend CERCLA federally, the "Brownfields Inventory and Permitting Efficiency Act" provides opportunities for States to innovate in this space in conjunction with the EPA. The legislation directs the Administrator of the EPA, in cooperation with States and in consultation with the heads of other relevant Federal departments and agencies, to maintain a publicly available database of brownfield sites that the Administrator determines may be

appropriate for reuse for nationally significant infrastructure facilities. The language further directs each State to inventory the brownfield sites located within that State to identify sites the State determines may be appropriate for reuse for nationally significant infrastructure facilities and to submit that information to the Administrator.

Permitting reform is also in the language as the draft states that a federal authorization with respect to a nationally significant infrastructure facility may not be considered a major Federal action under the National Environmental Policy Act of 1969 (NEPA).

The “Brownfields Reauthorization for an Affordable and Revitalized America Act” raises the dollar amounts of funding available to certain sites and authorizes appropriations to state response programs.

This is the prime opportunity to address legacy environmental laws, that while well-intended, may indeed be inhibiting economic opportunities for CERCLA sites across the country to be utilized for renovation and innovative purposes. We look forward to any additional legislative text that may be forthcoming with respect to each of these discussion drafts.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent W. Gardner". The signature is written in a cursive, flowing style.

Brent Gardner  
Chief Government Affairs Officer  
Americans for Prosperity



## American Critical Minerals Association

597 followers

8h • Edited • 



ACMA is encouraged by tomorrow's bipartisan House Energy & Commerce Environment Subcommittee hearing on brownfields, which will highlight practical, common-sense approaches to revitalizing underused sites and strengthening America's domestic critical mineral production. The "Brownfields Infrastructure Finance and Innovation Act" in particular would establish a targeted financing program to advance land-reuse strategies that support U.S. competitiveness and benefit American businesses and workers, including those in the critical minerals sector.



**Michael R. Goldstein** • 3rd+

Managing Partner at The Goldstein Environmental Law Firm, P.A.

4d • Edited •

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Brownfields Christmas in March. The House Subcommittee on Environment is holding a hearing next week (3/4) to review 4 draft bills designed to inject brownfields into the jet stream of American commerce, energy security, and global AI leadership. In so doing, the legislation creates multiple opportunities to downshift the regulatory and financial risk profile of brownfields and put thousands of blighted sites in play. I've posted the 4 bills below.

A brief summary (with much more to follow in the coming weeks):

1. Brownfields Revitalization for a Better Tomorrow Act. Its core purpose is to expand eligibility, increase funding levels, and tighten oversight. It creates a Nationally Significant Infrastructure Facility ( NSIF\*) definition in CERCLA covering semiconductor fabrication and supply chain, critical minerals and rare earth processing, AI infrastructure (including data centers), and energy generation. Wondrously, it adds for-profits as eligible brownfield grant applicants. It also increases remediation grants to \$1 million per site and multipurpose grants to \$2 million. In a further shift toward redevelopment readiness, grant fund eligible uses have been expanded to include up to 5% for acquisition and 10% for demolition.

2. Brownfields Inventory and Permitting Efficiency Act. Its core purpose is to create a national brownfields inventory and streamline federal permitting, particularly for infrastructure projects. Critically, it provides a bright line exemption from NEPA permitting where a covered site has received brownfield funding, is included in an EPA database of brownfield sites suitable for NSIFs, and was formerly listed on NPL. I also love love love the direction to the General Accounting Office to study barriers to deletion or partial deletion from the NPL.

3. Brownfields Infrastructure Finance and Innovation Act. The core purpose of this bill is to create a pilot loan and loan guarantee program for larger-scale brownfields redevelopment. The 2-year pilot has a max per project limit of \$4 million. (This one is near and dear to my heart because I have been advocating for a Brownfields Loan Guarantee Program, including in testimony to the Senate in 2022 and the House in 2025, for years.)

4. Brownfields Reauthorization Act of 2026. The core purpose of this bill is reauthorization and funding expansion. It raises the remediation cap to \$1 million, creates a mandatory waiver for matching requirements, escalates annual funding levels from \$250 million in 2027 to \$450 million in 2031, and increases funding to state response programs over the same period from \$60 million to \$100 million.

As this legislation evolves, we will post updates. In the interim, let's take a moment to recognize the impactful work by our elected officials and staff doing the people's business and expanding our ability to deploy Brownfields as a durable engine of economic revitalization and environmental stewardship. Big stuff. Bold.



Todd Roberts, President  
Rick Andritsch, Senior Vice President  
Trey Pebley, Vice President  
Mac Caddell, Treasurer  
Jeffrey D. Shoaf, Chief Executive Officer  
James V. Christianson, Chief Operating Officer

March 4, 2026

Chairman Gary Palmer  
House Subcommittee on Environment  
United States House of Representatives  
Washington, D.C. 20510

Ranking Member Paul Tonko  
House Subcommittee on Environment  
United States House of Representatives  
Washington, D.C. 20510

**RE: AGC Statement for the Record on Brownfields Legislation Under Consideration**

Dear Chairman Palmer and Ranking Member Tonko:

On behalf of the Associated General Contractors of America – the leading association in the construction industry representing more than 28,000 firms, including America’s leading general contractors and specialty-contracting firms – we thank you for today’s hearing on legislative proposals that support the remediation and redevelopment of Brownfields.

AGC members are engaged in the construction of buildings, roads, and our nation’s utility systems. These projects that intersect or overlap with brownfields sites across the country, such as old dry cleaners and gas stations. The Brownfields program is an important tool that reopens areas for much needed development. Despite this, projects under the Brownfields program can exacerbate existing approvals. These sites introduce a higher level of regulatory complexity, scheduling concerns, and delays to infrastructure projects. A general contractor’s work in the impacted area cannot begin until remediation is complete. Furthermore, AGC members that perform remediation activities experience budgetary and state coordination challenges.

The legislative proposals under consideration, the Brownfields Revitalization for a Better Tomorrow Act, the Brownfields Infrastructure Finance and Innovation Act, the Brownfields Inventory and Permitting Efficiency Act and the Brownfields Reauthorization for an Affordable and Revitalized America Act, have many measures AGC supports. These provisions include streamlined environmental permitting and innovative financing for “nationally significant infrastructure facilities” such as energy generation, necessary funding, and support for states and small communities. As such, we support their approval by the subcommittee and hope to see them be undertaken by the full committee in quick order.

Our nation faces many challenges that require the delivery of timely infrastructure projects to help address them. Brownfields present an opportunity for benefiting communities while modernizing our infrastructure. AGC thanks the Energy and Commerce Committee for their commitment to delivering on that opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Etchen'.

Alex Etchen  
Vice President, Construction Advocacy and Risk Management

March 4, 2026

**To: Chairman Palmer (R-AL), Ranking Member Tonko (D-NY), and Members of the Energy and Commerce Subcommittee on Environment**

**Re: Ready for Reuse: Legislative Proposals to Unleash the Potential of America's Brownfields Sites**

Dear Chairman Palmer (R-AL), Ranking Member Tonko (D-NY), and Members of the Energy and Commerce Subcommittee on Environment,

Thank you for the opportunity to submit this letter ahead of the Energy and Commerce Subcommittee on Environment's hearing titled "*Ready for Reuse: Legislative Proposals to Unleash the Potential of America's Brownfields Sites.*"

The Digital Power Network (DPN) is the largest coalition of Bitcoin miners and digital infrastructure providers, representing a wide spectrum of large, flexible electricity loads across the United States. DPN strongly supports the Subcommittee's efforts to modernize and strengthen federal brownfield policy, including expanding cleanup funding, improving financing mechanisms, and prioritizing nationally significant infrastructure redevelopment.

Across the United States, there are an estimated 450,000 brownfield sites – previously developed industrial or commercial properties often burdened by contamination or abandonment<sup>1</sup>. Brownfields represent both a challenge and an opportunity: if left idle, they pose environmental hazards and contribute to community blight; if cleaned up and redeveloped, they can host new industries, eliminate longstanding risks, and restore economic vitality. Redeveloping brownfields for energy and digital infrastructure projects maximizes the use of existing assets while minimizing new disturbance of greenfield land.

Despite these opportunities, current regulatory processes do not sufficiently incentivize brownfield reuse for energy and digital infrastructure. Developers frequently avoid these sites due to liability concerns and complex approval requirements. While the EPA's Brownfields Revitalization Act of 2002 and the 2018 Brownfields Utilization, Investment and Local Development (BUILD) Act provided certain liability clarity and protections for "innocent" purchasers, companies still face uncertainty regarding potential Superfund (CERCLA) exposure and other legal complications when engaging with contaminated properties<sup>2</sup>.

Moreover, permitting a project on a brownfield can paradoxically require as many reviews as development on pristine land, despite the site's prior industrial use. As a result, many

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<sup>1</sup> <https://www.epa.gov/brownfields/about>

<sup>2</sup> [https://www.epa.gov/system/files/documents/2025-08/aai\\_factsheet\\_epa\\_brownfields\\_grants\\_epa\\_560\\_f\\_17\\_193\\_508.pdf](https://www.epa.gov/system/files/documents/2025-08/aai_factsheet_epa_brownfields_grants_epa_560_f_17_193_508.pdf)

brownfields remain underutilized, serving neither private investment nor public benefit. Meanwhile, development shifts to undeveloped land elsewhere, even when infrastructure could have been sited on previously industrial property. Given these persistent barriers, the Subcommittee’s policy proposals represent an important step toward meaningful revitalization.

Unleashing America’s digital infrastructure capacity is especially critical in the context of intensifying global competition in advanced computing. While policymakers increasingly focus on the AI race, ensuring that cryptocurrency mining infrastructure remains within the United States is equally important to economic competitiveness and national security. Maintaining domestic oversight of critical digital systems should remain a priority, and brownfield redevelopment can play a central role in advancing this objective.

Beyond national competitiveness, digital infrastructure supports energy investment and grid stability by generating revenue streams and providing upfront capital that help fund major upgrades. This is particularly relevant in communities surrounding brownfield sites, where aging power infrastructure has contributed to rising prices and reliability challenges. Bitcoin mining operations, in particular, enhance grid stability through their flexible load profile. During Winter Storm Fern, for example, nearly 12 gigawatts of Bitcoin mining load was curtailed, demonstrating the sector’s ability to respond rapidly to grid conditions<sup>3</sup>.

Digital infrastructure, including both AI data centers and cryptocurrency mining operations, shares infrastructure characteristics that make brownfield sites particularly well suited for redevelopment. Many brownfields previously hosted energy generators or industrial facilities, leaving behind valuable assets such as substations, industrial zoning, and existing grid access. While these characteristics may deter other industries, digital infrastructure requires significant power capacity. With the proposed reforms in the draft bills, these sites could offer meaningful “speed-to-power” advantages.

AI data centers are a strong candidate for brownfield redevelopment; however, fiber optic connectivity is essential for high-bandwidth data processing and storage<sup>4</sup>. In some cases, brownfield sites may lack sufficient telecommunications infrastructure, requiring additional investment and time before AI operations can be deployed.

Bitcoin mining operations, by contrast, are largely location-agnostic and do not face the same fiber connectivity constraints. As a result, they can readily locate at more isolated brownfield sites, including those not yet equipped to support high-bandwidth AI computing. This flexibility makes cryptocurrency mining a practical early-stage redevelopment use capable of activating sites that might otherwise remain dormant.

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<sup>3</sup> <https://www.mara.com/posts/balancing-the-grid-during-winter-storm-fern>

<sup>4</sup> <https://www.enverus.com/ebooks/strike-gold-with-data-centers/>

Water availability is another important siting consideration for AI data centers. Bitcoin mining generally has lower water intensity and frequently relies on air or immersion cooling technologies. In water-constrained or drought-prone regions, mining operations may therefore offer a viable pathway to economic revitalization while supporting energy infrastructure investment without placing additional stress on local water resources.

Additionally, given the flexibility of Bitcoin mining load, these facilities can serve as reliable offtakers of power for energy developers locating near isolated brownfields, particularly in areas with limited surrounding demand or pending transmission upgrades. This is especially valuable for renewable energy projects, where excess wind or solar generation might otherwise be curtailed. By absorbing surplus generation, mining operations can improve project economics, enhance grid reliability, and facilitate long-term infrastructure investment at underutilized sites.

Given the increasingly interconnected nature of AI and cryptocurrency infrastructure, including the emergence of dual-use AI and Bitcoin facilities, cryptocurrency mining plays an important role within the broader digital infrastructure ecosystem. Ensuring eligibility for EPA-supported brownfield redevelopment would support domestic compute development while delivering economic benefits to host communities.

To ensure the full compute industry is recognized under the definition of “Nationally Significant Infrastructure Facility,” DPN respectfully recommends clarifying the definition to explicitly include digital infrastructure computing projects, including both artificial intelligence and cryptocurrency mining activities.

This clarification is warranted for several reasons. First, many Bitcoin mining operators are converting portions of their facilities to support AI computing workloads. Second, cryptocurrency mining requires substantial capital investment in power infrastructure, substations, and grid upgrades – infrastructure that remains valuable regardless of computing use. Recognizing mining within the statutory definition would ensure that redevelopment policy remains technology-neutral and reflects the growing convergence of advanced computing sectors.

Accordingly, DPN recommends that subsection (42)(C) be amended to read:

“Digital infrastructure and any other infrastructure that supports artificial intelligence, cryptocurrency mining, and other computing processes.”

Clarifying the definition in this manner would ensure that redevelopment policy supports the full spectrum of advanced computing infrastructure while advancing environmental remediation and economic revitalization goals.

DPN appreciates the Subcommittee’s commitment to unlocking the economic potential of previously industrial sites while advancing environmental stewardship. We stand ready to

# DIGITAL POWER NETWORK

work with the Committee to ensure that federal brownfield policy fully reflects the evolving digital infrastructure landscape.

Sincerely,

Digital Power Network



March 4, 2026

The Honorable Gary Palmer  
Chair  
Subcommittee on Environment  
Energy & Commerce Committee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Paul Tonko  
Ranking Member  
Subcommittee on Environment  
Energy & Commerce Committee  
U.S. House of Representatives  
Washington, DC 20515

Dear Chair Palmer and Ranking Member Tonko:

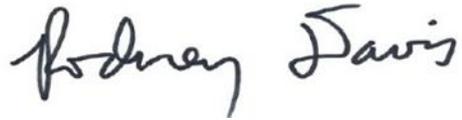
The U.S. Chamber of Commerce is pleased to support the Subcommittee's efforts to leverage the potential of America's brownfields sites. Enhancing existing programs and advancing permitting reform would accelerate critical infrastructure projects across our nation.

The Brownfields Program is a bipartisan, consensus-driven initiative that delivers significant economic and environmental benefits to local communities. By facilitating the cleanup and reuse of contaminated properties, the program not only revitalizes neighborhoods but also boosts job creation, property values, and investment. The inclusion of provisions, such as a new low-interest loan pilot, a National Environmental Policy Act exemption, and expanded eligibility for critical infrastructure priorities (e.g., energy, artificial intelligence (AI) infrastructure, semiconductors, and critical minerals) will provide important financing and technical assistance tools to ensure the deployment of transformative technologies and resources.

In addition, modernizing the federal permitting process is critical to unlocking the full potential of infrastructure investments. Permitting reform is vital to America's competitiveness and economic growth, from expanding broadband access and upgrading transportation networks to building innovative energy facilities that will provide new sources of power to meet growing demand and modernizing drinking water systems.

Thank you for your leadership in advancing these important legislative efforts. We look forward to continued collaboration to build a stronger, more resilient future for all Americans.

Sincerely,

A handwritten signature in black ink that reads "Rodney Davis". The signature is written in a cursive style with a large, prominent 'R' and 'D'.

Rodney Davis  
Senior Vice President  
Government Affairs  
U.S. Chamber of Commerce



THE UNITED STATES  
CONFERENCE OF MAYORS



March 4, 2026

The Honorable Brett Guthrie  
Chair, Energy & Commerce  
2434 Rayburn House Office Building  
Washington, DC 20515

The Honorable Frank Pallone  
Ranking Member, Energy & Commerce  
2107 Rayburn House Office Building  
Washington, DC 20515

The Honorable Gary Palmer  
Chair, Environment Subcommittee  
170 Cannon House Office Building  
Washington, DC 20515

The Honorable Paul Tonko  
Ranking Member, Environment Subcommittee  
2269 Rayburn House Office Building  
Washington, DC 20515

**Subject: House Committee on Energy and Commerce, Subcommittee on Environment hearing titled, *Ready for Reuse: Legislative Proposals to Unleash the Potential of America's Brownfields Sites***

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Palmer, and Ranking Member Tonko:

On behalf of the U.S. Conference of Mayors (USCM), the National League of Cities (NLC), and the National Association of Counties (NACo), we would like to take this opportunity to thank you for acknowledging the importance of reauthorizing the Brownfields Utilization, Investment, and Local Redevelopment (BUILD) Act (P.L. 115-141). We respectfully submit this letter to the March 4 Subcommittee on Environment Hearing Record.

As you know, local leaders play an essential role in identifying, assessing, remediating, and redeveloping brownfields sites from unproductive parcels of land into projects that better the community. Brownfields redevelopment can play an integral role in a community's revitalization plan, and our organizations have been working for more than three decades on making these sites easier to assess and redevelop.

We want to stress that the BUILD Act, which President Trump signed into law in 2018, included most of the much-needed changes that local leaders sought to improve the brownfields law. As mentioned in our testimony before this committee last year, we are seeking minor changes to the law, including an increase in authorization, an increase in the cap for some grant programs, more flexibility for multi-purpose grants, an increase in the cap for administrative costs and the ability to reapply for grants. We stand by this request.

Your committee has taken the time to draft additional ideas for improving the U.S. Environmental Protection Agency (EPA) Brownfields program and below are some brief comments we have regarding these drafts. We welcome the opportunity in the near future to meet with you and your staff to further discuss these proposals.

## **Local Government Concerns with Draft Legislation**

We are concerned about and are strongly opposed to several provisions included in the draft bills before the Subcommittee:

### **1. Private Sector Companies Becoming Eligible Entities**

Our organizations originally approached Congress and the EPA in the 1990s regarding the problem of brownfields in communities—where the private sector had abandoned or underutilized sites and were also unwilling to take on the challenge of these properties and commit any of their own resources toward clean up or redevelopment. For three decades, private-sector developers have worked in conjunction with local governments to assess and redevelop these sites.

The “Brownfields Revitalization for a Better Tomorrow Act” would change the definition of an eligible grant recipient to include “a private, for-profit limited liability corporation.”

This addition is not necessary nor is it a good idea to allow for-profit companies to become eligible for funding through the Brownfields Program. First, there currently is not enough money appropriated, including at levels under the Infrastructure Investment and Jobs Act (IIJA), to fund the current number of grant applications. Second, the private sector can already take advantage of money from the Revolving Loan Funds that are provided by local governments or the states. Third, when our organizations first approached Congress about the creation of the Brownfields Program back in the 1990s, there was initially a lot of push back from environmentalists who were worried that private sector companies that were responsible for the contamination would be given money to clean up their own mess. Limiting the funding to local governments that did not cause or contribute to the contamination provided reassurance to the environmental community. Fourth, we believe it would be difficult for EPA to monitor and ensure that private sector applicants were not also responsible for the contamination. Finally, we believe Congress could help the private-sector more effectively by reinstating the Brownfields Tax Deduction, which allows the private sector to take a tax deduction for the costs of the cleanup in just one year as opposed to being amortized over a number of years.

### **2. Nationally Significant Infrastructure Facilities and Exemption from NEPA Provisions**

The “Brownfields Revitalization for a Better Tomorrow Act” proposes a new definition and priority ranking for “nationally significant infrastructure facilities” including semiconductor manufacturing, critical mineral mining, artificial intelligence and data centers, and energy generation.

Furthermore, the proposed “Brownfields Inventory and Permitting Efficiency Act,” would exempt these heavy industrial infrastructure sites from permitting requirements under the National Environmental Policy Act (NEPA). Such “nationally significant infrastructure” sites would be deemed to not be considered a “major federal action” requiring NEPA review for any federal funding, permits, special use authorizations, certifications, or other approvals from EPA or any federal agency.

We are concerned these provisions could result in data center or other types of development in a community without the support from local leaders or residents - especially if private entities are eligible for Brownfields grants and if NEPA requirements are waived. Data centers and other types of developments are already an allowable use for Brownfield redevelopment. Furthermore, EPA recently issued information for communities on reuse considerations for data centers on

brownfield sites. We believe this information is sufficient to help local leaders evaluate whether a brownfield site can be redeveloped into a data center or other project, without amending the statute to include a specific reference to data centers or other types of projects under the defined “nationally significant infrastructure facilities.”

### **3. Creation of a BIFIA Fund**

While our organizations have generally been supportive of larger infrastructure loan programs such as TIFIA and WIFIA, we oppose the creation of a BIFIA loan program that uses existing Brownfields grant funds for a new loan program that gives preferential treatment for certain types of industrial companies such as semi-conductor manufacturing, data centers, processing critical materials, and energy production.

While there is a critical need for large-scale investment, currently there simply is not enough money in the Brownfields program to finance such an effort without taking away resources for other valuable projects. Secondly, we are not supportive of “tipping the scale” in favor of these particular types of projects while other, just as worth-while projects, are put at a disadvantage. The beauty of the brownfields program is that it is flexible enough to support all types of projects that a community decides would work for them. Furthermore, a Brownfields Revolving Loan Fund grant program already exists that communities utilize. If Congress wants to further explore creating a BIFIA program, we suggest that it is funded separately from the existing Brownfield funds and that Committee members and staff consult with local governments and other beneficiaries to determine the most useful way of designing such a tool.

### **Local Government Priorities for Brownfields Reauthorization**

As previously mentioned, we were very pleased with the BUILD Act and would like to request either a clean reauthorization bill or to make the following modifications:

#### **1. Higher overall authorization levels, as well as higher per-grant amounts that were included in IIJA, especially for the cleanup and multi-purpose grants.**

We have regularly asked Congress for higher authorization and appropriation levels and we were thrilled that the IIJA delivered on both of these requests. We believe this money will be well utilized and justifies higher authorization and appropriation levels longer term. We respectfully ask that higher authorization levels be included in this new authorization bill. There are an estimated 400,000-600,000 brownfield sites in the United States but EPA can only fund a small portion of the grant applications it receives. We strongly urge Congress to go beyond traditional funding levels and provide the same funding levels that were included in the IIJA, as well as increase the per-grant maximum cap for assessment, cleanup and multi-purpose grants.

#### **2. EPA has a more restrictive view of the purpose and targeted area regarding multi-purpose grants than we originally envisioned and we urge Congress to direct EPA to expand its application.**

We are pleased that Congress established a multi-purpose grant in the last authorization bill. However, EPA seems to have a more restrictive view of the uses of multi-purpose grants than we originally envisioned. We were hoping that a city would NOT have to identify exactly how they would spend the money or identify a particular neighborhood or site for where the money would be spent, but rather be able to use it more broadly, potentially even community-wide for any

eligible brownfields' activity. The intention of the multi-purpose grant was to provide the resources for assessments or cleanups as needed for multiple properties within a jurisdiction based on the needs of the community and market forces. Of course, the money would only be spent on eligible brownfield activities and a grantee would need to report how and where the money was spent. We respectfully ask Congress to direct EPA to expand its definition of the way a multi-purpose grant can be utilized.

**3. Increase the administrative cost allowance**

The 2018 reauthorization allowed Brownfield grant recipients to use up to five percent of grant funding for administrative costs, such as rent, utilities, and other costs necessary to carry out a brownfields project. This was an important improvement to the original law, which prohibited use for administrative costs entirely. This change is particularly important for small and rural communities that previously may not have even applied for grants due to the cost burdens associated with accepting a federal grant. We ask the committee to strike the cap to further support small and rural communities.

**4. Ability to apply for an additional cleanup grant for a specific property, even if a community has already received a cleanup grant, and the ability to apply for an assessment grant after a community has received a cleanup grant for a specific property.**

Some brownfield sites need additional support for revitalization and redevelopment, but EPA tends not to fund more than one cleanup grant on a property or allow for an assessment grant after a cleanup grant has been awarded. However, both of these additional flexibilities would assist with brownfields sites that are more complex than initially thought by the community. For example, if a community has done some cleanup but then discovers there are other concerns or contaminants an additional assessment may be needed; or if a community is doing a cleanup and realizes there is more work to do additional clean up funds may be needed.

Thank you for your leadership on and prioritization of Brownfields reauthorization this year. The Brownfields program is an economic development program for communities, and with minor changes to existing law, local leaders will continue to be able to access federal funding to redevelop and revitalize abandoned or contaminated land into productive reuse. Again, we welcome the opportunity to meet with you, committee members, and your staff to further discuss this important reauthorization effort. If you have any questions, don't hesitate to reach out: Judy Sheahan (USCM) at 202-355-8540 or [jsheahan@usmayors.org](mailto:jsheahan@usmayors.org); Carolyn Berndt (NLC) at 202-626-3101 or [Berndt@nlc.org](mailto:Berndt@nlc.org); or Charlotte Mitchell Duyshart (NACo) at 202-661-8826 or [cmitchell@naco.org](mailto:cmitchell@naco.org).

Sincerely,



Tom Cochran  
CEO and Executive Director  
The U.S. Conference of Mayors



Clarence E. Anthony  
CEO and Executive Director  
National League of Cities



Matthew D. Chase  
CEO/Executive Director  
National Association of Counties

CC: Members of the House Energy and Commerce Committee





## National Coalition of Brownfield Communities, Companies & Experts Call on U.S. House for a Clean Reauthorization of the Highly-Successful EPA Brownfield Program *Avoiding Controversial Provisions That Will Lead to Stalemate*

Now is the time for Congress to reauthorize the U.S. Environmental Protection Agency’s (EPA) highly-effective brownfield program. The authorizations in the “Small Business Liability Relief and Brownfields Revitalization Act of 2002” and the “Brownfields Utilization, Investment, and Local Development Act of 2018” (BUILD Act) are set to expire in 2026. **The National Brownfields Coalition (NBC) calls on the Environment Subcommittee of the House Committee on Energy & Commerce (E&C) to focus on a clean reauthorization of this successful program, with an emphasis on authorizing sufficient funding for localities to address the ~450,000 brownfields that continue to blight communities and blunt their economic potential.** A set of three proposed statutes being considered now in the E&C Committee would impose major, controversial, unpopular changes that cannot pass and that will jeopardize reauthorization of the EPA Brownfield program. <https://energycommerce.house.gov/posts/chairmen-guthrie-and-palmer-announce-legislative-hearing-to-discuss-the-potential-of-america-s-brownfields-sites>.

The National Brownfields Coalition **opposes these proposed bills** and calls for a clean and straightforward reauthorization of the Brownfields program.

**The U.S. EPA Brownfields Program Works – and Needs More Funding Support:** The national brownfields grant program and regulatory approach have worked extremely well since first launched by U.S. EPA in 1996. The program made leaps forward with the BUILD Act of 2018 signed by President Trump, and the Bipartisan Infrastructure Law of 2021. The EPA Brownfields program provides regulatory certainty, robust technical assistance to communities, and substantial grant funding for assessment, cleanup, land revitalization, and workforce development at contaminated brownfield sites. EPA’s program has funded the investigation of over 500,000 sites, cleaned up over 235,000 sites, made over 4 million acres of land ready for reuse, and leveraged over \$50 billion for redevelopment ([www.epa.gov/brownfields/accomplishments](http://www.epa.gov/brownfields/accomplishments)). The Bipartisan Infrastructure Law of 2021 raised funding for the program by an extra \$250 million annually. Even with this boost of funding, fewer than half of grant applications are selected for award (e.g., see the hundreds of localities shut out of funding in the 2025 round at [www.epa.gov/brownfields/list-fy-2025-arc-grant-applicants](http://www.epa.gov/brownfields/list-fy-2025-arc-grant-applicants)). The end of the 2021 IIJA law’s funding means a giant fiscal cliff comes next year for EPA brownfields, dropping funding levels by 75%.

**The National Brownfields Coalition Calls for a Clean Brownfields Law Reauthorization:** The National Brownfields Coalition was founded in 2005 to bring together local government officials, private sector developers, environmental experts, nonprofits, and other sectors to promote an effective national strategy to facilitate brownfield revitalization. The Coalition is working with the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties to seek congressional reauthorization of the EPA brownfields program. The Coalition strongly supports straightforward reauthorization legislation such as the “Brownfields Reauthorization Act of 2025” (S. 347), which was unanimously reported out of the Senate Committee on Environmental and Public Works.

While a clean reauthorization allows the successful program to continue, the National Brownfields Coalition would consider support for targeted legislative enhancements such as:

- **Raise the cap on grant award amounts** for assessment, multi-purpose, & cleanup grants;
- **Raise the grant amount** for individual cleanup sites;
- Consider a pilot program to create an **inventory** of potential brownfield properties for **data centers and other critical uses**. Such inventory development must include strong statutory requirements for full consultation with local governments and regional entities on whether such sites should be considered for such industrial redevelopment. Further, the law should not force an unfunded mandate on states to drain their brownfield funding to create such inventories, but instead allow each state to choose whether to opt in to the inventory program voluntarily.
- Create innovative approaches to **brownfields financing** following the TIFIA/WIFIA models, as long as such financing is sourced by new authority and appropriations, and not carved out of the existing but inadequate funding in the base EPA brownfields grant program established under CERCLA Section 104(k);
- Encourage private-sector investment in brownfield remediation through reinstatement of the longstanding **federal brownfield tax incentive**, allowing businesses cleaning up brownfields to expense qualified cleanup costs, proposed in current legislation such as the “Brownfields Revitalization and Remediation Act” (H.R. 5472);
- **Reduce match requirements** for cleanup grants including for small, rural & disadvantaged communities;
- Expand eligible grant uses to include **demolition**;
- Remove the low and arbitrary 5% cap on grantee **administrative costs**;
- **Streamline** grant application requirements.

**Avoiding Controversial & Unpassable Provisions to the Brownfields Program:** In late February 2026, the National Brownfields Coalition reviewed drafts of three proposed bills that would add controversial provisions to the program that would harm communities and that are unlikely to gain sufficient congressional consensus to move forward. These proposed bills would:

- **Exempt heavy industrial sites** including AI data centers, power plants, mineral mining, and semiconductor manufacturing from NEPA legal requirements at brownfield sites;
- **Fail to require any consultation with localities** by developers of heavy industrial sites;
- Allow **private companies to be eligible for grants** for the first time and drain EPA brownfields grant funding, which is already inadequate to meet the demand of local governments and nonprofit applicants. This would sap funding from the EPA Brownfields program just as it faces the fiscal cliff created by the end of BIL funding. The EPA Brownfields grant program is already strongly pro-business, allowing local governments to use grant funding on privately owned sites to promote economic development.

The National Brownfields Coalition and its members oppose the three bills issued by the majority on the House Committee on Energy & Commerce, which would introduce these extraneous, controversial, and likely unpassable provisions.

Contact the National Brownfields Coalition at [brownfields@smartgrowthamerica.org](mailto:brownfields@smartgrowthamerica.org)