



**United States Senate  
Committee on Environment and Public Works  
108th Congress Accomplishments**

**TABLE OF CONTENTS**

**Commitment to Oklahoma**

Tar Creek Plan  
Highway Bill (Passed the Senate)  
Economic Development Administration Activities in Oklahoma  
Field Hearing in Oklahoma  
Oversight on the Burying Beetle

**National Security Accomplishments**

Disaster Area Health and Environmental Monitoring Act (Passed the Senate)  
Oversight Investigation of the EPA's Response to the World Trade Center Collapse  
Chemical Security Act (Passed the Committee)  
Nuclear Security Act (Passed the Committee)  
First Responders Grants (Passed the Committee)  
The Emergency Preparedness and Response Act (Passed the Committee)  
Wastewater Security Act (Passed The Committee)  
Environmental Regulations in Oil Refining Hearing  
Environmental impacts of U.S. natural gas production Hearing  
Law of the Sea Hearing

**National Infrastructure and Public Works Accomplishments**

Economic Development Act (Signed Into Law)  
Highway Bill (Passed the Senate)  
Price Anderson Reauthorization Act(part of Energy Bill)(Passed the Senate)  
Water Resource Development Act (Passed the Committee)  
Water Infrastructure (Passed the Committee)  
John F. Kennedy Center Reauthorization Act (Signed into Law)

**Environmental Accomplishments**

Marine Turtle Conservation Act (Signed into Law)  
Reauthorize the U.S. Institute for Environment Conflict Resolution (Signed into Law)  
Captive Wildlife Safety Act (Signed into Law)  
Expansion of Ottawa Wildlife Refuge (Signed into Law)  
Expansion of the Blackwater Wildlife Refuge (Signed into Law)

Expansion of the Kilauea Point Refuge (Signed into Law)  
EPA Ombudsman Reauthorization Act (Signed into Law)  
MTBE/Reformulated Fuels (part of Energy Bill) (Passed the Senate)  
Underground Storage Tank Compliance Act (Passed the Senate)  
Migratory Bird Treaty Reform Act (Signed into Law)  
POPS Treaty (Passed the Committee)  
The National Estuary Program Reauthorization Act (Signed into Law)  
Oversight of the Clean Water Act

**Commitment to Sound Science**

Climate Change Oversight  
Perchlorate Oversight  
Formaldehyde Oversight

**Commitment to Cost-Benefit Analysis**

Highway Bill  
Economic Development Administration  
Storm Water  
New Source Review Delay (Defeated)  
Superfund Tax Amendment

**Commitment to Improving the Service of the Federal Bureaucracy**

Grants Oversight  
Environmental Groups

**Hearings**

**Nominations**

**United States Senate  
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**Chairman James M. Inhofe**

The Environment and Public Works Committee accomplishments of the 108<sup>th</sup> Congress highlight a successful two years for the committee. As Chairman, I mapped out priorities for the committee including strengthening our nation's infrastructure, continuing strong environmental protections, and improving our national security. To succeed in meeting these goals I established three guiding principles for all committee work: it should rely on sound science; it should consider costs on businesses and consumers; and the bureaucracy should serve, not rule, the people. Without these principles, we cannot make effective public policy decisions. They are necessary to both improve the environment and encourage economic growth and prosperity. I am happy to report in the 108<sup>th</sup> Congress we met each of these criteria and the committee succeeded in meeting its goals."

-Senator Inhofe

## **Commitment to Oklahoma**

*“Serving as the Chairman of the Senate Committee on Environment and Public Works provides an opportunity for me to not only represent the strong values of Oklahomans in the U.S. Senate, but to apply those values and principles to the important work of the committee.” -Senator Inhofe*

### ***Tar Creek Plan***

The Tar Creek Superfund site is a 40 square mile area in northeastern Oklahoma. For nearly 100 years this area was extensively mined for lead and zinc. However, the mining left a legacy of environmental deterioration in 300 miles of undermined tunnels, 75 million tons of lead tailings in piles as high as 200 feet, more than 1,320 open mine shafts, and thousands of drill holes. For the first time in the history of the Tar Creek Superfund site, Chairman Inhofe has been able to bring together all of the federal partners involved in the Tar Creek Superfund site along with state and local officials, academic leaders, tribes, and the local community to work toward a coordinated and comprehensive solution. Recognition of Senator Inhofe’s commitment to Tar Creek:

*“Inhofe’s proposal is a welcome development in the far-from-over saga of Tar Creek. It offers hope that a solution to the problems of health, safety and welfare of area residents is possible.”  
**Editorial, Onward, Tulsa World, December 19, 2003***

*“I would like to thank Senator Inhofe for his leadership on these matters. His request for an independent and scientific review was a necessary step in the process of understanding the health risks of the Superfund site. It would not have happened without the Senator and his staff and I appreciate their insistence that it proceed in an unfettered and independent fashion.” **J. Mark Osborn MD, November 17, 2004***

### ***Highway Bill (Passed the Senate)***

One of Senator Inhofe’s top priorities as chairman of the committee is to increase the rate of return for donor states such as Oklahoma, which put more money into the highway trust fund than they receive back for state highway improvements. The bill passed in the Senate in the 108<sup>th</sup> Congress guaranteed all donor states a rate of return of at least 95 percent. (Currently the guaranteed rate of return is 90.5%.) Oklahoma newspapers praised Inhofe for his work on the highway bill writing:

*“In getting the additional road money for the state, the senator has used his position to greatly benefit Oklahoma. We look forward to the improved roads and bridges and the new jobs.” **Tulsa World January 23, 2004***

*“U.S. Sen. Jim Inhofe, R-Tulsa, knows first hand of the value of infrastructure, particularly roads and highways...Inhofe is on the right track on this bill. The higher figure includes some extra construction and will naturally provide badly needed jobs all over the nation, in addition to adding to and improving to the federal road system.” **Tulsa World June 11, 2004***

*“Political pull is important in road-building. The influence of U.S. Sen. Jim Inhofe and U.S. Rep. Ernest Istook will bring more road and bridge dollars into the state in exchange for the federal fuel taxes that Oklahomans pay. That’s good news indeed.” **Daily Oklahoman November 23, 2003***

### ***Economic Development Administration Activities in Oklahoma***

The Economic Development Administration Reauthorization Act not only reauthorized the programs for the entire country, but it ensured that the communities of Elgin and Durant will be able to move forward with infrastructure improvements that will support the attraction of private sector investment and the creation of jobs. It will also result in much needed investment in Ottawa County, providing funding for the City of Miami – a city that has suffered economic hardship due to its proximity to a Superfund site.

“Sen. Inhofe has really stepped forward to help Miami, Ottawa County and northeast Oklahoma,” Brassfield said. “We need to use these dollars prudently and work on multiplying this investment for our future. We want to continue creating jobs because having a job is what’s best for the residents of northeast Oklahoma.” **Miami Mayor Brent Brassfield, October 11, 2004, *Miami News Record***

Additionally, the bill preserves the ability of Economic Development Districts to use planning funds to provide technical assistance and cover administrative costs. This is especially important for the small, rural communities of Oklahoma that do not have the resources to maintain the professional and technical capacity needed to develop and implement comprehensive economic development strategies. Economic Development Districts work to fill this hole and should not be prevented from doing so.

On April 28, 2004, Chairman Inhofe held a hearing on the issue of EDA reauthorization. The list of witnesses testifying included Mr. Gary Gorshing, Executive Director of the South Western Oklahoma Development Authority in Burns Flat, Oklahoma. Mr. Gorshing testified also as President of the National Association of Development Organizations.

“On behalf of the National Association of Development Organizations (NADO), thank you for your outstanding leadership in securing final passage of the Economic Development Administration reauthorization bill (S. 1134). This is an important jobs creation bill for distressed and undeserved communities throughout the nation.” ***Matthew Chase, Executive Director, NADO***

### ***Field Hearing in Oklahoma on the Cost of Clean Water and Drinking Water Regulations on Municipalities***

On July 23, 2004, Chairman Inhofe held a field hearing at the University of Tulsa School Of Law to examine the cost of regulations on municipalities from the Clean Water Act and the Safe Drinking Water Act. At the hearing, the committee received testimony from Mr. Charles Hardt, the Public Works Director for the City of Tulsa; Mr. Robert Carr, on behalf of the cities of Owasso and Collinsville; Mr. Arvil Morgan, District Manager of the Wagoner Water District #5; Mr. Ken Komiske, the Public Works Director for the City of Norman; Mr. Rick Bourque, the City Manager for the City of Wewoka and Mr. Clay McAlpine, Director of Engineering for the City of Muskogee.

The hearing provided important testimony for the committee which will work to ensure EPA's regulations are achievable, cost-effective and based on sound science.

“I would like to take this opportunity to thank Senator Inhofe and Senator Crapo for holding this hearing and for giving the City of Wewoka the chance to speak out on this very important issue. As Senator Inhofe knows from when he served as the Mayor of Tulsa, managing a city is never an easy task. Unlike the Federal Government, we do not have the capacity to run deficits. Our books must always balance. This is difficult enough in the best of times, but when outside factors like unfunded mandates come into play, it is almost impossible. This is especially true in a small town like Wewoka.” *Testimony from Mr. Rick Bourque, City Manager for Wewoka, July 7, 2004.*

### ***Oversight on the Burying Beetle***

The Subcommittee on Fisheries, Wildlife, and Water focused on the American Burying Beetle in June of 2003. Senator Inhofe discussed issues surrounding the Endangered Species Act (ESA). At the hearing, Senator Inhofe stated, “As chairman of this committee, one of my goals is to make sure that our decisions are based on the best science available,” and “In the case of the American Burying Beetle, I’m not convinced that that has occurred. This is an example of how the Endangered Species Act has failed to accomplish its goal and resulted in additional costs that are ultimately paid for by consumers. Senator Inhofe welcomed Patricia D. Horn, the Vice-President and General Counsel of Enogex Inc. Enogex Inc. is an Oklahoma intrastate and interstate pipeline company which is currently the 10th largest pipeline company in the United States.

### ***Formaldehyde Oversight:***

Working to benefit Oklahoma constituents and ensure sound science, Chairman Inhofe worked with EPA to encourage the EPA Office of Research and Development to include important National Cancer Institute research when it updates its health assessment of formaldehyde within the Integrated Risk Information System program. The NCI study will be completed over the next 18 months and Chairman Inhofe was able to get EPA to commit to waiting for the results of the study before moving forward with its formaldehyde IRIS listing. This will ensure the latest science will be included.

### ***Oversight of the Clean Water Act Hearing***

The subcommittee on Fisheries, Wildlife, and Water conducted a hearing to consider several Clean Water Act issues, some of which have been the subject of recent EPA’s actions. Of particular importance to Oklahoma is the future of the Total Maximum Daily Load (TMDL) program, as well as how oil and gas sites are treated under the storm water rule and the Spill Prevention Control and Countermeasure program. Senator Inhofe’s message is clear on TMDLs: [if the program is to move forward, it must outright prohibit any EPA role in local land use decisions and not impose any regulatory requirements on the nation’s farmers. Senator Inhofe believes EPA should have authority to approve just the TMDL number itself, not how states decide to distribute it. Steve Kouplun, President of the Oklahoma Farm Bureau Federation said,

“This fundamental balance of state-federal control requires that EPA ensure that the ultimate goal (the “total” load) is properly defined, but that states alone determine how the goal will be

achieved. Thus, states – not EPA – must determine how loading capacity will be “allocated” among the various industrial, municipal, commercial, residential, agricultural, silvicultural, and other pollutant sources. Such highly subjective decisions necessarily require balancing the needs of competing land uses based on considerations of equity, economy, and public welfare. As such, allocation decisions are the essence of implementation planning that has been strictly reserved for the states.”

***Endangered Species Hearing:***

On April 10, 2003 the Subcommittee on Fisheries, Wildlife, and Water heard testimony considering critical habitat designations under the Endangered Species Act. Of particular concern to Oklahoma is the decision by the Fish and Wildlife Service (FWS) to designate critical habitat for the Arkansas River Shiner. Senator Inhofe raised the issue of the economic impact of that action. At a minimum Senator Inhofe believes, local communities have a right know what impact endangered species are going to have. In fact the Endangered Species Act requires the FWS to assess the economic impact when designating critical habitat. The FWS was sued by a coalition of 18 groups, including the Oklahoma Farm Bureau from 4 States because they failed to conduct a proper economic assessment. Testifying at the hearing, Craig Thomas who represented the Oklahoma Farm Bureau in the lawsuit said,

“That’s where we get into a fundamental disagreement about the purpose of the Endangered Species Act. This is not an ‘uber-zoning’ law. The Fish and Wildlife Service is not responsible for regulating land use. They’re responsible for regulating endangered species. I think it’s inappropriate and unlawful to use the Endangered Species Act as a land use control tool.”

## **National Security Accomplishments**

*“A critical element of this committee’s jurisdiction in the 108<sup>th</sup> Congress was homeland security. As chairman, I introduced security legislation that is an important part of the broad, concerted effort to bolster the nation’s defenses against terrorism. They represent significant steps in addressing the various security needs.” Senator Inhofe*

### ***Oversight Investigation of the EPA’s Response to the World Trade Center Collapse***

The majority staff of the Committee on Environment and Public Works conducted an oversight report on the EPA’s response--and White House involvement in crafting that response--to the September 11th attacks on the World Trade Center. The report is the culmination of a committee inquiry into the EPA’s Inspector General investigation into how EPA handled the aftermath of September 11. The committee report transcends the EPA Inspector General investigation, which, because of limited jurisdiction, lacked authority to question officials from the Occupational Safety and Health Administration (OSHA) and the Council on Environmental Quality (CEQ), who were intimately involved in the decision making process after September 11. Committee staff questioned these officials, providing a broader and more complete picture of what transpired in the days and weeks after the September 11 attacks. Senator Inhofe stated:

*“The findings of this report confirm that EPA responded admirably and effectively during an unprecedented crisis,”* said Sen. James Inhofe, chairman of the EPW Committee. *“It also confirms that there was no conspiracy on the part of White House officials to conceal information about public health. Further, the White House role in coordinating the dissemination of information after September 11 was entirely appropriate.”* **September 9, 2003**

### ***Chemical Security Act (Passed the Committee)***

The Committee on Environment and Public Works approved S. 994, the Chemical Facilities Security Act of 2003, which requires chemical operators to conduct vulnerability assessments and implement site security plans, and grants authority to the Department of Homeland Security (DHS) to ensure those plans are effective. It also gives DHS the ability to order facilities to take specific actions when faced with imminent terrorist threats.

*“Thanks to Chairman Inhofe for your hard work on chemical security... the committee's patience and honesty is genuinely appreciated, openly acknowledged, and meaningful to Farm Bureau members.”*  
**Rebeckah T. Freeman Congressional Relations Director - American Farm Bureau Federation**

### ***Nuclear Security Act (Passed the Committee)***

The Nuclear Infrastructure Security Act of 2003, introduced by Senator James Inhofe (R-OK), requires the Nuclear Regulatory Commission (NRC), in coordination with the Department of Homeland Security (DHS), to conduct a comprehensive examination of security and preparedness at nuclear facilities, as well as examining all potential threats facing these facilities. Based on this examination, the NRC would be required to take steps, as necessary, to ensure that security at a facility is designed to deal with potential terrorists threats. The bill also increases the frequency of security examinations, including mock terrorists attack exercises and emergency

preparedness exercises. It also requires the NRC to upgrade standards for hiring and training guards; ensures cooperation between local, state, federal law enforcement and nuclear facilities; requires new fingerprinting and background checks for individuals with access to nuclear facilities; establishes a program to provide technical assistance and training to Federal agencies, the National Guard, and state and local law enforcement and emergency response agencies in responding to threats against nuclear facilities; and provides other additional authorities to the President to help in the prevention of an attack.

### ***Disaster Area Health and Environmental Monitoring Act (Passed the Senate)***

Disaster Area Health and Environmental Monitoring Act of 2003 establishes the framework for the federal government to protect first responders, as well as the health and safety of all involved in a disaster area, including residents, workers, and volunteers. The program will enhance the capabilities of first responders by allowing precautions, assessments, and monitoring to take place at a disaster site.

### ***The Emergency Preparedness and Response Act (Passed the Committee)***

Senators Inhofe and Jeffords introduced S. 930, the Emergency Preparedness and Response Act of 2003. This legislation is the continuation of the committee's work to increase the level of preparedness and emergency response capabilities of our nation's first responders. This bill, which amends the Stafford Act, establishes the framework for the federal government to partner with state and local governments to achieve this goal. With the creation of the Department of Homeland Security (DHS), FEMA became part of the DHS Emergency Preparedness and Response Directorate. The bill authorizes the DHS to lead a coordinated and integrated effort to build terrorism preparedness and response capability for weapons of mass destruction at all levels of government. It creates a new first responder grant program administered by the Secretary of the DHS. The program will enhance the capabilities of first responders by focusing needed resources in the following areas--equipment, planning, training, and exercises. The bill also contains a section authorizing additional assistance for FEMA's 28 Urban Search and Rescue task forces.

### ***Wastewater Security Act (Passed The Committee)***

The Wastewater Treatment Works Security Act of 2003, which is similar to legislation passed 413 to 2 by the House of Representatives, empowers the Environmental Protection Agency to provide \$200 million in grants to states, municipalities, and inter-municipal or interstate agencies to conduct vulnerability assessments of publicly owned wastewater treatment facilities and to implement security enhancements to reduce vulnerabilities of terrorist attack. It provides technical guidance and assistance to small (serves fewer than 20,000 individuals) publicly owned wastewater treatment facilities.

"...thank you for your leadership in furthering the security of critical infrastructure in America."  
*Association of Metropolitan Sewerage Agencies*

### ***Environmental Regulations in Oil Refining***

Senator Inhofe conducted a hearing to examine the environmental regulatory framework affecting gasoline refining. In the past decades, our laws and regulations have improved the environment. However, Congress has picked the low hanging fruit. Today, it is critical that the American people realize that our environmental regulations are not free, but have very real price

implications for industry and consumers. Bob Slaughter, President, National Petrochemical & Refiners Association, and American Petroleum Institute who is from Oklahoma, spoke to the need of a 21<sup>st</sup> century energy policy.

### ***Environmental impacts of U.S. natural gas production***

Senator Inhofe held a hearing to consider the environmental impacts of U.S. natural gas production. For the last several years, natural gas prices have been volatile causing manufacturing production costs to increase dramatically; factories are closing, high paying and irreplaceable manufacturing jobs are leaving the country, and consumers are hurting the most. Senator Inhofe concerned with tactics employed to stop exploration and production of new natural gas sources under the pretense of “environmental protection” held a hearing to explore possible solutions while continuing to protect the environment. One witness from Oklahoma, Bob Drake, Vice President Oklahoma Farm Bureau and Chairman, National Grazing Lands Council commented about the need for exploring potential solutions saying:

“Like many Oklahomans, I have been active in the oil and gas industry as well as farming and ranching for most of my life. I am currently vice-president of the Oklahoma Farm Bureau and I serve as chairman of the National Grazing Lands Conservation Initiative. I have also served as President of the National Cattlemen’s Beef Association. This issue concerns me both as an agricultural consumer and as a producer in the oil and gas industry. On behalf of the American Farm Bureau Federation and the Oklahoma Farm Bureau, thank you for the opportunity to express how energy supply, and energy prices, are adversely impacting American agriculture.” *March 25, 2004*

### ***UN Convention on the Law of the Sea***

On March 22, 2004, Chairman Inhofe held an oversight hearing on the Law of the Sea Treaty (LOST). This treaty establishes a set of international rules governing the uses of the world’s oceans, including airspace, seabed and subsoil. Among the central issues addressed by the Convention are navigation and over flight of the oceans, exploitation and conservation of ocean-based resources, protection of the marine environment, and marine scientific research. During the hearing held by the Senate Committee on Environment and Public Works, Chairman Inhofe highlighted several concerns relating to encroachment upon our national sovereignty and national security.

“Fortunately, this nonsense will be exposed to critical examination in coming weeks as two Senate committees, Environment and Public Works and Armed Services, hold hearings on LOST. Their chairmen, Sen. Jim Inhofe (R., Okla.) and John Warner (R., Va.), respectively, deserve credit for inviting critics of the treaty (including this author) to provide testimony...” *Frank J. Gaffney Jr. is president of the Center for Security Policy and a contributing editor to NRO March 18, 2004*

## National Infrastructure and Public Works Accomplishments

*“As a conservative I have always advocated a limited government role, but I believe the development, construction, and maintenance of infrastructure is an inherently governmental function. In addition to providing for the national defense, I believe the single greatest service we as the federal government can provide our citizens is the necessary infrastructure to enable the United States to remain the economic engine that drives the world's economy.” Senator Inhofe*

### ***Highway Bill (Passed the Senate)***

In a strong bipartisan and collaborative process, the committee crafted a highway bill that would create jobs, promote economic growth, and address the nation's surface transportation needs. The bill successfully passed the Senate by a vote of 76-21, but fell just short in reaching agreement in the conference committee. Several national organizations and newspapers in Oklahoma recognized Senator Inhofe's leadership:

*“Passage of the bill reflects the courageous leadership of Senators James Inhofe (R-OK), James Jeffords (I-VT), Kit Bond (R-MO) and Harry Reid (D-NV) in making sure that the reauthorization funding levels begin to meet America's transportation needs.” AASHTO Executive Director John Horsley congratulated Senate transportation leaders for their efforts.*

*“As the 108<sup>th</sup> Congress comes to an official close, the Associated General Contractors of America (AGC) would to thank you for all of your hard-fought efforts this session in advancing bills to reauthorize both the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) and the Water Resources Development Act (WRDA). While forces beyond your control prevented enactment of these vital infrastructure bills (S. 1072 and S. 2554), our 35,000 members know that the legislative process would not have moved as far as it did if it wasn't for your steadfast determination. In particular, we applaud you for your leadership in trying to get all sides to come together and complete these vitally important bills.” Stephen E. Sandherr, CEO, *The Associated General Contractors of America**

*“Praise should go to Senators Jim Inhofe (R-Oklahoma) and Lisa Murkowski (R-Alaska) for championing the heart and soul of the joint MRF-SMRO agenda for motorcycle safety for the reauthorization of TEA-21.” By Tom Wyld, *Ride With the Leaders, Motorcycle Riders Foundation, October 2003**

*“We appreciate your leadership to forge a Renewable Fuels Standard compromise amendment. Thank you for your continued leadership on behalf of Oklahoma's farmers and ranchers.” Ray L. Wulf, *President and CEO Oklahoma Farm Bureau**

Senator Inhofe really came through for Tribal transportation in S. 1072. Please know how much this bill will mean to Tribal governments in Oklahoma and the rest of the country in terms of lives saved, economic development spurred and Tribal sovereignty strengthened. *James E. Glaze, Sonosky, Chambers, Sachse, Endreson & Perry, LLP*

### ***Economic Development Administration Reauthorization (Signed Into Law)***

One of the main programs of the Economic Development Administration is a grants program to support efforts to attract new industry, encourage business expansion, diversify local economies and generate or retain higher-skill, higher-wage jobs and investments by revitalizing, expanding and upgrading physical infrastructure. Examples of infrastructure and development facility investments supported by this program include water and sewer system improvements, skill-training facilities, industrial and business parks, industrial access roads, port and harbor improvements, business incubator facilities, multi-tenant manufacturing facilities and tourism facilities.

***Price Anderson Reauthorization (part of Energy Bill)(Passed the Senate)***

The Price Anderson Amendments Act of 2003 (S. 156) would amend the Price-Anderson Act to reauthorize mandatory indemnification of certain licensees with respect to nuclear incidents until August 1, 2012, and reauthorize the mandate for certain reports to Congress by the Nuclear Regulatory Commission and the Secretary of Energy relating to possible modifications of Price-Anderson until August 1, 2008.

***Water Resource Development Act (Passed the Committee)***

The Water Resources Development Act of 2004 (S. 2773) provides for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States and for other purposes.

“As the 108<sup>th</sup> Congress comes to an official close, the Associated General Contractors of America (AGC) would to thank you for all of your hard-fought efforts this session in advancing bills to reauthorize both the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) and the Water Resources Development Act (WRDA). While forces beyond your control prevented enactment of these vital infrastructure bills (S. 1072 and S. 2554), our 35,000 members know that the legislative process would not have moved as far as it did if it wasn’t for your steadfast determination. In particular, we applaud you for your leadership in trying to get all sides to come together and complete these vitally important bills.” ***Stephen E. Sandherr THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA***

***Water Infrastructure Act (Passed the Committee)***

The Water Infrastructure Financing Act (S. 2550) sought to maintain and advance both the Clean Water and Drinking Water State Revolving Loan Funds (SRF) as the primary federal means of financing the delivery of safe drinking water and treated wastewater. The nationwide need continues to far outpace the amount of funding that is available from all levels of government. S. 2550 would help communities across the country who are struggling to upgrade and replace aging infrastructure while also meeting new federal and state clean and drinking water regulations. While protecting the integrity of the SRFs, the bill would ensure a rapid infusion of grant funds to municipalities. The bill updates the allocation formula according to which States would receive their annual share of the Federal appropriation. Finally, S. 2550 would create a research and demonstration program to develop new water and wastewater treatment approaches and technologies.

***John F. Kennedy Center Reauthorization Act (Signed into Law)***

The purpose of this legislation is to authorize funding for the John F. Kennedy Center for the Performing Arts (Kennedy Center), authorize ongoing General Accounting Office review of construction projects at the Kennedy Center, and create a project management team to oversee construction of the plaza project.

## Environmental Accomplishments

*“As Chairman of the Environment and Public Works Committee, I have worked to build upon the remarkable environmental progress we’ve made over the last three decades. It is essential to recognize that achieving positive environmental results and promoting economic growth are not incompatible goals.” -Senator Inhofe*

### ***Wildlife Conservation***

During the 108<sup>th</sup> Congress, Chairman Inhofe secured several victories in the area of wildlife conservation by ensuring important wildlife legislation became law. The Captive Wildlife Safety Act extended the protections of the Lacey Act which prohibits the import, export, transport, sale or acquisition of “prohibited wildlife species” by including live lions, tigers, leopards, cheetahs, jaguars and cougars. This will crack down on irresponsible owners of large exotic “pet” cats who do not have the knowledge or resources to properly and safely care for the animals, while protecting their ownership by licensed zoos and other credible organizations. The *National Humane Society* praised Inhofe’s leadership saying,

"Lions and tigers belong in the wild, not in someone's backyard or basement," states Wayne Pacelle, a senior vice president for The Humane Society of the United States. We are enormously grateful to Senators Jeffords and Ensign and committee chairman James Inhofe for moving this legislation forward."

The Marine Turtle Conservation Act, also signed into law, built on the existing success of multinational species conservation funds to support the conservation of threatened and endangered sea turtles. This fund is expected to be leveraged with private matching funds and is aimed at conserving species habitat outside U.S. borders, thus protecting conservation investments made on U.S. soil. Conservation organizations praised Senator Inhofe saying,

"We at World Wildlife Fund truly appreciate Senator Inhofe's support for the Marine Turtle Conservation Act, which will prove invaluable in protecting the nesting habitats of endangered marine turtles around the world." *Ginette Hemley, Vice President, Species Conservation*

"This act is a triumph for sea turtles. The act will help by providing funds for nesting beach research and anti-poaching measures." *Marydele Donnelly, with The Ocean Conservancy.*

"Senator Inhofe...supported the bill and provided the political muscle necessary to move this legislation forward." *Blue Plant Quarterly*

The Migratory Bird Treaty Reform Act signed into law, served to restore the historical application of the Migratory Bird Treaty Act to protect native migratory birds through treaties between the United States, Canada, Japan, Mexico, and Russia.

"On behalf of American Bird Conservancy, I am pleased that Congress took an important step in the conservation of native birds when it passed the recent Omnibus bill. That legislation included

important amendments to the Migratory Bird Treaty Act (MBTA), to exclude invasive, non-native bird species such as the Mute Swan from protection under the MBTA. Next to habitat loss and alteration, invasive species have been identified as the greatest threat to native birds in the U.S. We appreciate Senator Inhofe's leadership in strengthening the MBTA." **George Fenwick, President of American Bird Conservancy**

"On behalf of the National Wildlife Federation's four million members and supporters, I want to thank you for supporting the Migratory Bird Treaty Reform Act...The introduction of non-native species is yet another growing problem for conservation of our native wildlife. Passing this legislation is an important step in addressing this destructive and complex problem." **Doug Inkley, Ph.D., Senior Science Advisor**

The Dingell-Johnson Sport Fish Restoration Act extends the authorization of the Dingell-Johnson Sport Fish Restoration Program until fiscal year 2019. This program utilizes a variety of funding sources, including excise taxes on fishing tackle and trolling motors, import duties, motor boat and small engine fuel sales and interest from the Aquatic Resources Trust Fund to further various conservation, boating safety and outreach activities.

### ***National Wildlife Refuges***

The National Wildlife Refuge System is a network of lands and waters administered for the conservation, management and where appropriate, the restoration of fish, wildlife and plant resources and their habitats within the United States. Recognizing the important benefit of preserving these resources for present and future generations and to further the conservation efforts being made at certain sites throughout the country, Chairman Inhofe and the Environment and Public Works Committee passed bills that too, became law, to expand refuge boundaries at Ottawa National Wildlife Refuge, Blackwater National Wildlife Refuge, and Kilauea Point National Wildlife Refuge. Chairman Inhofe was also instrumental in ensuring the continued operation of the successful Mingo Job Corps Civilian Conservation Center by transferring operations from the Fish and Wildlife Service to the Forrest Service.

Since 1982, the U.S. Fish and Wildlife Service has maintained a volunteer program throughout the Refuge System, federal fish hatcheries and other field and administrative offices. Volunteers play a vital and growing role in the operation of many units within the Refuge System, assisting in education, habitat management, maintenance, research and public use. From the inception of the program, the number of volunteers has increased from 4,251 to 44,000 volunteers. The hours of service have grown as a result from 128,000 to 1.5 million, and volunteers contribute time equal to that of 721 full-time employees. Recognizing their contributions, Chairman Inhofe was proud to pass the National Wildlife Refuge Volunteer Act to reauthorize this successful volunteer program.

### ***Underground Storage Tank Compliance Act (Passed the Senate)***

The bill seeks to improve the compliance of underground storage tanks nationwide. It provides resources for the cleanup of tanks and improves leak prevention by focusing on onsite tank inspections and underground storage tank owner/operator training programs.

***MTBE/Reformulated Fuels (part of Energy Bill)(Passed the Senate)***

A provision was attached in conference that provided liability protection against lawsuits claiming MTBE a defective product. This provision had no impact on liability for negligence or other similar action -only providing protection against "defective product" lawsuits. Given that EPA approved MTBE and effectively mandated its use, the liability provision was necessary to combat a flood of frivolous lawsuits.

***Reauthorize the U.S. Institute for Environment Conflict Resolution (Signed into Law)***

Reauthorizes the United States Institute for Environmental Conflict Resolution.

***EPA Ombudsman Reauthorization Act (Signed into Law)***

The Ombudsman Reauthorization Act of 2003 (S. 515) expands the duties of the EPA Ombudsman to include assisting citizens in resolving problems relating to any program or requirement under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as well as any other program administered by the EPA's Office of Solid Waste and Emergency Response. This bill will help establish the independence of the EPA Ombudsman.

***POPS Treaty (Passed the Committee)***

S. 1486 was crafted to allow for the implementation of three related international agreements regarding chemicals. Enactment of this legislation is necessary for the United States to become a party to the Stockholm Convention on Persistent Organic Pollutants, the LRTAP POPs Protocol, and the Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

***National Estuaries Program Reauthorization Act (Signed into Law)***

The goal of the National Estuary Program (NEP) is the promotion of comprehensive conservation and management plans (CCMPs) for estuaries of national significance through the collaborative voluntary efforts of federal, state, local, non-profit and private interests. Today, the NEP includes 28 estuaries in 18 States and Puerto Rico. All 28 estuary programs are in the process of implementing their CCMPs.

## **Commitment to Sound Independently-Reviewed Science**

*“One very critical element to our success as policymakers is how we use science. That is especially true for environmental policy, which relies heavily on science. I have insisted that federal agencies use the best, non-political science to drive decision-making.” - Senator Inhofe*

### ***Climate Change Oversight***

Senator Inhofe believes much of the debate over global warming is predicated on fear, rather than science. He believes the climate change debate should be based on fundamental principles of science. Ultimately, Senator Inhofe believes it should be decided by hard facts and data--and by serious scientists committed to the principles of sound, independently reviewed science. That is why as chairman he has made two speeches on the Floor of the Senate, held several hearings on climate change, and led efforts in the Senate to stop job-killing bills like McCain-Lieberman.

*“Indeed, the science behind global warming remains under challenge. A new analysis published in the journal Energy & Environment indicates statistical data that are the basis for global warming concern are flawed. So, the debate will continue and should, as Inhofe argues, be based on sound science and fair analysis of the potential harmful economic effects on the lives of Americans.”*

*Daily Oklahoman*

*“In debate on the McCain bill, also sponsored by Democratic Sen. Joe Lieberman of Connecticut, Sen. James Inhofe, R-Okla., pointed out the real goal of Kyoto and other radical efforts. He cited a quote by French President Jacques Chirac, who in November 2000 admitted the treaty's true purpose: "By acting together, by building this unprecedented instrument, the first component of an authentic global governance, we are working for dialogue and peace," Mr. Chirac said in a speech at the Hague. The United States must not succumb to "global governance." Our Constitution spells out how we as a people are to govern and be governed. It does not provide for that authority to be ceded to foreign environmental fanatics with an often thinly disguised anti-American bent. Laws or treaties that compromise our sovereignty should be rejected.” *Chattanooga Times Free Press (Tennessee) November 1, 2003**

### ***Formaldehyde Oversight:***

Working to benefit Oklahoma constituents and ensure sound science, Chairman Inhofe worked with EPA to encourage the EPA Office of Research and Development to include important National Cancer Institute research when it updates its health assessment of formaldehyde within the Integrated Risk Information System program. The NCI study will be completed over the next 18 months and Chairman Inhofe was able to get EPA to commit to waiting for the results of the study before moving forward with its formaldehyde IRIS listing. This will ensure the latest science will be included.

### ***Perchlorate Oversight:***

Fulfilling his commitment to sound science and good government, Chairman Inhofe has worked hard to bring to use the oversight capacity of EPW to bring to light the scientific issues associated with EPA's controversial Perchlorate Risk Assessment. An analysis of

the risk assessment, including a recent National Academy of Science review of the EPA work, will be part of a white paper currently being written on the use of EPA guidance as de facto regulation and the subsequent lack of public involvement and due process.

## **Commitment to Cost-Benefit Analysis**

*“I am a strong believer in cost-benefit analysis and strong science. It is critical that we get the most from our money, and I feel it is important to promote programs that have a proven track record.” Senator Inhofe,*

“It’s also a good time for a change because it coincides with Sen. Jim Inhofe’s ascendancy to the chairmanship of the Senate’s Environment and Public Works Committee. There, the Oklahoma Republican is trying to change the culture, to create one that respects sound science and takes into account things such as costbenefit analysis to its policy deliberations. The same is needed at EPA.” *Daily Oklahoman May 23, 2003*

### ***Highway Bill***

One of the Chairman’s top priorities is to increase the rate of return for donor states such as Oklahoma, which put more money into the highway trust fund than it receive back for state highway improvements. The bill passed in the Senate in the 108<sup>th</sup> Congress guaranteed all donor states a rate of return of at least 95 percent. (Currently the guaranteed rate of return is 90.5%), and Senator Inhofe will work to get the highest possible rate of return for donor states in the 109<sup>th</sup> Congress. Senator Inhofe has always been willing to spend limited tax dollars on two very important national priorities – the defense of our country and the maintenance and improvement of our national infrastructure. Coming from a state that ranks dead last in the condition of our bridges, Senator Inhofe is highly aware of the critical importance of this legislation.

“In Congress, Oklahoma Sen. Jim Inhofe has earned praise from almost all Senators on a new, six-year transportation bill. Inhofe, who has worked to increase Oklahoma’s guaranteed rate of return of gasoline taxes from 90 percent to 95 percent, believes final passage will be similar to the Senate version Oklahoma’s money would increase 42 percent over the bill which passed in 1998. For years, Oklahoma complained that it was a donor state — one that paid more gasoline taxes than it got back in highway building and repair money. This bill goes a long way toward ending inequities, fixing roads and highways and creating jobs. Those are all good features.” *Lawton Constitution February 25, 2004*

### ***Economic Development Administration Reauthorization***

Studies have shown that EDA’s competitive grant programs are among the most cost-efficient federal investments for spurring private sector investment and creating and retaining jobs. The reauthorization bill passed by the committee and signed into law strengthened these programs by further emphasizing innovation and competitiveness, reducing paperwork burdens and rewarding outstanding performance.

### ***Storm Water***

It is critical to ensure that as any federal agency moves forward with a rule, that the costs are justified and accurately calculated. EPA’s storm water program completely ignores the costs that will be imposed on Oklahoma’s small independent producers. Small construction sites that disturb between one and five acres are required to comply with

EPA's phase II storm water rules. Last month, EPA proposed a second extension of the compliance deadline for small oil and natural gas sites from Phase II. As stated when it published the proposal, EPA believed that few oil and gas exploration sites would be affected by the new rules and their impact on the Phase II cost estimates would be minimal. Therefore, EPA did not include these sites in the rule's Economic Analysis. Data has since indicated that nearly 30,000 oil and gas sites may be affected. At every opportunity, I have urged the Agency to re-examine its proposal and its cost analyst. The Agency is taking the right step in proposing to further extend the compliance deadline. A recent DOE study concluded that the new EPA rule could result in the loss – between now and 2025 – of between 1.3 and 3.9 cubic feet of oil and between 15 and 45 trillion cubic feet of natural gas. It could result in consumers paying up to \$6 billion more for natural gas per year.

### ***New Source Review***

Senator Inhofe lead efforts in the Senate to defeat an amendment to an omnibus spending bill that would have delayed the New Source Review (NSR) revisions for six months . Importantly, reforms to NSR will remove barriers to pollution prevention projects, energy efficiency improvements, and investments in new technologies and modernization of facilities.

### ***Superfund Tax Amendment***

Senator Inhofe, as chairman of the committee, led the successful effort on the Senate floor to defeat the reinstatement of the Superfund Tax. In spite of claims to the contrary, this not a "polluter pays" tax and has absolutely no impact on the level of funding for clean up of Superfund sites. This was a general tax that was levied on small (and large) businesses, numbers of whom had nothing to do with any Superfund site. Those businesses that are found liable under Superfund are already paying for the cost of clean up -absent the tax. The tax is unfair and unnecessary.

## **Commitment to Improving the Service of the Federal Bureaucracy**

*“One of my guiding principles has always been that the bureaucracy should serve, not rule, the people. The people have entrusted the agencies of the federal government with efficient use of their tax dollars, and federal agencies must act in accordance with that responsibility. For this reason, I have undertaken oversight of the U.S. Environmental Protection Agency (EPA) where one of my chief concerns has been with the inefficient and irresponsible manner in which the EPA awards billions of taxpayer dollars each year in grant programs and the substantial amounts EPA awards to extremist environmental groups more interested in misleading the American public and pursuing their own purely politically partisan agenda than doing anything to actually improve the environment.” Senator Inhofe*

### ***Grants Oversight***

The EPA awards over one-half of its budget each year in grants to state, local, and tribal governments, educational institutions, and non-profits group amounting to over \$4 billion in discretionary and non-discretionary grants each year. For the last 10 years, the EPA Inspector General, the General Accounting Office, and the Office of Management and Budget have consistently criticized the EPA for persistent grants mismanagement identifying a lack of competition in grant awards, a lack of demonstrable environmental results from grants, and a lack of oversight of grantees. Chairman Inhofe held the first oversight hearing into EPA grants management in the Environment and Public Works Committee focusing on new transparency and accountability. The Chairman’s subsequent oversight has included floor statements, numerous information requests, and two reports concerning the lack of public information of available grants and recipients and demonstrating examples of EPA regularly funding environmental extremists that consistently undermine the President’s environmental record. The EPA has now developed a new public web site with the most public information available to date on awarded grants and recipients. EPA has developed a new competition policy, environmental results policy, and new non-profit oversight policy. Chairman Inhofe will continue oversight to ensure real grants management reform.

“SEN. Jim Inhofe has a reputation for feistiness — not a bad attribute for a member of Congress. No doubt Inhofe’s relish for the hand-to-hand combat that often accompanies the legislative process set many environmentalists to grinding their teeth, anticipating the kind of leadership he would bring to a panel that traditionally has been pretty cozy to liberal leaning environmental causes. Recently the Oklahoma Republican announced the Senate Environment and Public Works Committee would look into groups that get federal grant money, much of it from the Environmental Protection Agency, to see whether they are abiding by rules that prohibit them from endorsing political candidates and engaging in other political activities... We don’t know if there’s anything illegal or improper in what environmental groups are doing, with a lift from Uncle Sam. It can’t hurt to find out.” *Daily Oklahoman March 17, 2003*

“Senator Jim Inhofe (R-OK), Chairman of the Environment and Public Works Committee, takes a different approach. He has been relentless in uncovering and exposing the deep-seated problems with the grant-making process at the Environmental Protection Agency (EPA). For years the lack of accountability in the grants management process at EPA has been the subject of critical reports within EPA and by oversight agencies, such as the Government Accountability Office (formerly known as General Accounting Office).” *Paul M. Weyrich, Chairman and CEO of the Free Congress Research and Education Foundation*

“A Senate investigation of grants to private organizations issued by the Environmental Protection Agency has found a \$332,000 grant to the Children's Environmental Health Network, which on its home page has issued a "report card" giving President Bush an "F." The Network claimed that of 78 decisions by the Bush administration, 62 had "a negative impact on children." Adding that the impact of many decisions "will be felt for years to come," the report concluded: "The administration failed to move forward to protect children." The Senate Environment and Public Works Committee, headed by Sen. James Inhofe of Oklahoma, is conducting the first congressional oversight of \$4 billion in **EPA grants**. Inhofe and other conservatives contend federal money has been going to organizations that attack Bush in an election year.” *Robert Novak, Dems lament Bush comeback July 4, 2004*

### ***Environmental Groups***

In examining how some environmental groups receive and spend federal funds through EPA grants, Chairman Inhofe also began examining these groups' funding from numerous sources including large foundations. With these organizations' political and grass-roots efforts it quickly became difficult differentiating the sources of their funds and how they spend them. Chairman Inhofe's work resulted in a floor statement and report providing examples of five of the most widely politically active environmental groups, a description of their activity, the foundations that provide the financial support for those groups, and the interconnected web among all those organizations. Chairman Inhofe described the tangled web of political financing of these environmental extremists groups saying there is no way to tell where taxpayer funded grants and private dollars cross, where advocacy funding and political funding intermingle, and if environmental extremist groups really spend any money on actually improving the environment.

“Senator James Inhofe (R-OK), Chairman of the Senate Environment and Public Works Committee, has demonstrated uncommon courage by confronting problems with taxpayer money being paid to highly politicized environmental groups. These groups receiving government grants use their bloated multimillion-dollar budgets to file endless anti-industry lawsuits against government agencies responsible for the material wealth of the nation. The Center has tracked these problems for more than a decade. We are pleased to present Senator Inhofe's reports to the American people. We congratulate him on his willingness to face the storm of abuse that environmental groups generate when challenged.” *Center for the Defense of Free Enterprise*

## **Environment and Public Works Committee Hearings**

### **FULL COMMITTEE**

- Fiscal Year 2004 Budget for the Environmental Protection Agency
- Nominations pending before the committee
- Impact of military training on the environment
- TEA-21 Reauthorization: "Illinois Transportation: Crossroads of Our Nation"
- Field hearing, Palmer, Alaska. Transportation infrastructure needs in Alaska
- Importation of exotic species and the impact on public health and safety
- Climate history, science, and health effects of mercury emissions
- Field Hearing Brownsville, TX. TEA-21 Reauthorization
- Field Hearing Medford, OR. TEA-21 Reauthorization
- Field hearing, Cleveland, OH. Water Quality in the Great Lakes
- Nomination of Gov. Michael O. Leavitt to be Administrator, U.S. Environmental Protection Agency
- Oversight of EPA Grants
- "United Nations Convention on the Law of the Sea".
- EPA's Budget for FY 2005
- Environmental impacts of U.S. natural gas production.
- Nominations to the EPA and Chemical Safety and Hazard Investigation Board
- Reauthorization of the Economic Development Administration
- Environmental Regulations in Oil Refining
- Field hearing on water: costs of regulations
- Field Oversight Hearing on Endangered Species Act

### **Subcommittee on Fisheries, Wildlife, and Water**

- U.S. Fish and Wildlife Service Budget for Fiscal Year 2004.
- Critical habitat designations under the Endangered Species Act.
- Current regulatory and legal status of federal jurisdiction of navigable waters under the
- Clean Water Act, in light of the issues raised by the Supreme Court in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, No. 99-1178 (SWANCC).
- National Aquatic Invasive Species Act of 2003, a bill to reauthorize the Nonindigenous Aquatic Nuisance Prevention and Control Act.
- Implementation of the National Marine Fisheries Service's 2000 Biological Opinion for listed anadromous fish regarding operation of the Federal Columbia River Power System.
- Consulting process required by Section 7 of the Endangered Species Act.
- Field hearing, Boise, ID. The Cooperation Between U.S. Fish and Wildlife Service and States on Bull Trout Recovery Under the Endangered Species Act.
- Oversight of the Clean Water Act.
- Chronic Wasting Disease Financial Assistance Act of 2003.
- Oversight of Drinking Water in the District of Columbia
- Oversight to review state and private programs for sage grouse conservation

### **Subcommittee on Clean Air, Climate Change, and Nuclear Safety**

- Oversight of the Nuclear Regulatory Commission.
- Oversight hearing on the implementation of the CMAQ and Conformity programs
- Alternative fuels and fuel additives
- Clear Skies Act of 2003, S. 485
- Clear Skies Act, S. 485.
- Clear Skies Act, S. 485.
- Agricultural sequestration to address climate change through reducing atmospheric levels of carbon dioxide
- FEMA Oversight.
- Implementation of NAAQS on PM2.5
- Oversight of the Nuclear Regulatory Commission

### **Subcommittee on Transportation and Infrastructure Hearing**

- Fiscal Year 2004 Budget for the Federal Highway Administration, Department of Transportation.
- Review of S. 1072, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003, the Administration's proposal to reauthorize TEA-21.
- U.S. Army Corps of Engineers role in the nation's water resource needs in the 21st century.

## **Environment and Public Works Committee Nominations Reported**

### **CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD**

*Medina, Rixio Enrique*, of Oklahoma, to be a Member of the Chemical Safety and Hazard Board

*Visscher, Gary Lee*, of Maryland, to be a Member of the Chemical Safety and Hazard Board

### **DEPARTMENT OF THE ARMY**

*Woodley, John Paul*, of Virginia, to be Assistant Secretary of the Army (Civil Works), Department of the Army, vice Michael Parker.

### **ENVIRONMENTAL PROTECTION AGENCY**

*Leavitt, Michael O.*, of Utah, to be Administrator, Environmental Protection Agency.

*Johnson, Stephen*, of Maryland, to be Deputy Administrator of the Environmental Protection Agency (PN-1209).

*Klee, Ann R.*, of Virginia, to be Assistant Administrator, Environmental Protection Agency,

*Grumbles, Benjamin*, of Virginia, to be Assistant Administrator, Environmental Protection Agency, vice George Tracy Mehan III, resigned.

*Johnson, Charles*, of Utah, to be Chief Financial Officer, Environmental Protection Agency.

**MISSISSIPPI RIVER COMMISSION**

*James, Ricky Dale*, of Missouri, to be a Member of the Mississippi River Commission  
*Prahl, Rear Adm. Nicholas Augustus*, to be a Member of the Mississippi River Commission

**MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION**

*Boldrey, Robert*, of Michigan, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation

*Bowekaty, Malcolm B.*, of New Mexico, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation

*Guenther, Herbert*, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation

*Narcia, Richard*, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation

*Udall, Bradley*, of Colorado, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation

**TENNESSEE VALLEY AUTHORITY**

*Moore, Richard W.*, of Missouri, to be Inspector General, Tennessee Valley Authority

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