NLC CONGRESSIONAL CITY CONFERENCE 2026

EXECUTIVE EDUCATION AND PRE-CONFERENCE ACTIVITIES: MARCH 14-15

ENERGY, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

Sunday, March 15, 2026

1:00 – 3:30 p.m.

Marriott Marquis Hotel, Washington, DC

Independence Salons FGH (M4)

NLC CONGRESSIONAL CITY CONFERENCE March 16–18 2026
EXECUTIVE EDUCATION & PRE-CONFERENCE ACTIVITIES: MARCH 14–15 ★ WASHINGTON, DC

Energy, Environment and Natural Resources (EENR) Federal Advocacy Committee

Sunday, March 15, 2026 – 1:00-3:30 p.m.
Location: Marriott Marquis Hotel, Independence Salons FGH (M4)

1:00 – 1:10 p.m. **WELCOME, INTRODUCTIONS AND MEETING OVERVIEW**

The Honorable Jan Kulmann, Chair
Mayor, City of Thornton, Colorado

Introductions, overview of expected outcomes from the meeting, and Board of Directors report.

1:10 – 1:40 p.m. **TAKING ACTION IN 2026: NLC'S FEDERAL ACTION AGENDA**

Carolyn Berndt
Legislative Director for Sustainability, Federal Advocacy, National League of Cities

Committee members will hear an update on NLC's Federal Action Agenda, as well as energy and environmental issues before Congress, the Administration and the courts. Committee members will also discuss the EENR Committee 2026 Workplan and advocacy actions they can take to advance local priorities.

1:40 – 1:50 p.m. **NLC OFFICER WELCOME**

The Honorable Kevin Kramer, NLC President
Councilmember, City of Louisville, Kentucky

1:50 – 2:05 p.m. **DISCUSSION: DATA CENTERS – ENVIRONMENTAL CONSIDERATIONS FOR COMMUNITIES**

Chris Jordan
Program Manager, AI and Innovation, Center for Research and Data Analysis, National League of Cities

Committee members will learn about NLC's new resources for local leaders to utilize as data center developers approach communities, as well as some common examples cities have taken recently. Committee members will have the opportunity to share what's happening in their communities and what additional resources or research is needed from NLC.

2:05 – 2:35 p.m. **DISCUSSION: ADVANCING PLASTICS AND EXTENDED PRODUCER RESPONSIBILITY LEGISLATION**

Kevin Allexon
Director, U.S. Plastic Policy and Advocacy, World Wildlife Fund

Committee members will hear an overview of the federal landscape on plastics and recycling legislation, and how the implementation of state laws is shaping the federal conversation around plastics, recycling and extended producer responsibility.

2:35 – 2:40 p.m. **STRENGTHENING THE INTERGOVERNMENTAL PARTNERSHIP**

Nick Druber
Senior Advisor, Intergovernmental and External Affairs, Office of the Secretary U.S. Department of the Interior (invited)

Committee members will meet the intergovernmental liaison for local officials at the U.S. Department of the Interior and learn about key priorities for the Administration at DOI.

2:40 – 2:50 p.m. **EENR TOPIC: WORKFORCE DEVELOPMENT IN THE WATER SECTOR**

Annie Osborne
Director, State and Local Government Affairs, Veolia North America

Committee members will learn about the Veolia Workforce Academy North America, a new initiative that provides free online workforce training and employment pathway program designed to expand nationwide access to water sector careers while creating skilled jobs and strengthening the U.S. water sector.

2:50 – 3:05 p.m. **MEMBER PERSPECTIVE: FEDERAL LAND CONVEYANCES FOR HOUSING DEVELOPMENT**

Lance Haynie
Government Affairs Director, City of Santa Clara, Utah

As availability of affordable housing is a top concern for many communities, Western municipalities face additional development constraints due to federal land ownership. Committee members will hear about a proposal to address these challenges through Federal land conveyance, which partially falls under jurisdiction of the EENR Committee. Committee members will have the opportunity to provide feedback on the proposal.

3:05 – 3:20 p.m. **MEMBER PERSPECTIVE: TAKE AWAYS FROM COP30**

The Honorable Laura Dent
Councilmember, City of Harrisonburg, Virginia

Committee members will hear from Councilmember Laura Dent on her experience attending COP30 in Belem, Brazil, as one of only a handful of U.S. local leaders in attendance.

3:20 – 3:30 p.m. **WRAP UP AND ADJOURN**

The Honorable Jan Kulmann, Chair
Mayor, City of Thornton, Colorado

Enclosures:

- NLC Policy Development and Advocacy Process
- 2025 City Summit EENR Executive Summary
- 2026 EENR Workplan
- Energy and Environment Legal Update
- Legislative Framework: Federal Land Conveyances for Affordable Housing – City of Santa Clara, Utah
- National Municipal Policy, Energy, Environment and Natural Resources, Sec. 2.09 Public Lands
- Op-ed: It's Time to Build an Economy that Works for Everyone, U.S. Representative Kathy Castor (D-FL-14), Sept. 25, 2025
- 2026 Energy, Environment and Natural Resources Committee Roster

Upcoming EENR Committee Meetings

April/May/June Conference Calls – TBD
Summer Board and Leadership Meeting – July 7-10 – Louisville, Kentucky
September Conference Calls – TBD
City Summit – November 18-21 – Nashville, Tennessee

CCC Sessions of Interest

- **Workshop: Clean Water, Clear Path: Navigating Compliance and Affordability,** Monday, March 16, 1:45 p.m. – Capitol/Congress Room (M4)
- **Workshop: Powering Local Climate and Clean Energy Progress,** Tuesday, March 17, 10:45 a.m. – Liberty Salons MNOP (M4)
- **Federal Agency Expo and Meet NLC Experts,** Tuesday, March 17, 2:15 p.m. Mezzanine Foyer (2nd Floor)

NLC POLICY DEVELOPMENT AND ADVOCACY PROCESS

As a resource and advocate for more than 19,000 cities, towns and villages, the National League of Cities (NLC) brings municipal officials together to influence federal policy affecting local governments. NLC adopts positions on federal actions, programs and proposals that directly impact municipalities and formalizes those positions in the National Municipal Policy (NMP), which guides NLC's federal advocacy efforts.

NLC divides its advocacy efforts into seven subject areas:

- Community and Economic Development
- Energy, Environment and Natural Resources
- Finance, Administration and Intergovernmental Relations
- Human Development
- Information Technology and Communications
- Public Safety and Crime Prevention
- Transportation and Infrastructure Services

For each of the seven issue areas, a Federal Advocacy Committee advocates in support of NLC's federal policy positions. Members of each Committee serve for one calendar year and are appointed by the NLC President.

Federal Advocacy Committees

Federal Advocacy Committee members are responsible for providing input and advocating on legislative priorities and reviewing and approving policy proposals and resolutions. Additionally, Committee members engage in networking and sharing of best practices throughout the year.

Federal Advocacy Committees are comprised of local elected and appointed city, town and village officials from NLC member cities. NLC members must apply annually for membership to a Federal Advocacy Committee. The NLC President makes appointments for chair, vice chairs, and general membership. In addition to leading the Federal Advocacy Committees, those appointed as Committee chairs also serve on NLC's Board of Directors during their leadership year.

At the Congressional City Conference, Federal Advocacy Committee members are called upon to advocate for NLC's legislative priorities on Capitol Hill, as well as develop the committee's agenda and work plan for the year. Committee members meet throughout the year to further the plan, hear from guest presenters, discuss advocacy strategies and develop specific policy amendments and resolutions. At the City Summit, Committee members review and approve policy proposals and resolutions. These action items are then forwarded to NLC's Resolutions Committee and are considered at the Annual Business Meeting, also held during the City Summit.

Advocacy

Throughout the year, Committee members participate in advocacy efforts to influence the federal decision-making process, focusing on actions concerning local governments and communities. During the Congressional City Conference, Committee members have an opportunity, and are encouraged, to meet with their congressional representatives on Capitol Hill. When NLC members are involved in the legislative process and share their expertise and experiences with Congress, municipalities have a stronger national voice, affecting the outcomes of federal policy debates that impact cities, towns and villages.

2025 CITY SUMMIT
EENR EXECUTIVE SUMMARY

Policy:

The EENR Committee proposed no policy amendments.

Resolutions:

- **NLC RESOLUTION 2026-11:** Supporting Local PACE Programs
- **NLC RESOLUTION 2026-12:** Supporting and Advancing Resilient Communities to Prepare for Changing Climate and Extreme Weather Events
- **NLC RESOLUTION 2026-13:** Supporting Urgent Action to Reduce Carbon Emissions and Mitigate the Effects of Climate Change
- **NLC RESOLUTION 2026-14:** Addressing Lead Contamination and Calling for Nationwide Federal Support for Water Infrastructure
- **NLC RESOLUTION 2026-15:** Increase Federal Investment in Water Infrastructure
- **NLC RESOLUTION 2026-16:** Support for Integrated Planning and New Affordability Consideration for Water
- **NLC RESOLUTION 2026-17:** Calling on the Federal Government to Take Action to Address PFAS Contamination
- **NLC RESOLUTION 2026-18:** Improve the Benefit-Cost Analysis for Federally Funded Flood Control Projects and Supporting Beneficial Reuse of Dredged Material
- **NLC RESOLUTION 2026-19:** Increase Funding for Border Water Infrastructure Projects
- **NLC RESOLUTION 2026-20:** Support and Advance Cities Impacted by Federal Facilities and Infrastructure through Community Benefit Programs
- **NLC RESOLUTION 2026-21:** Protecting Federal Scientific Data and Resources to Support Local Preparedness to Extreme Weather Event

ENERGY, ENVIRONMENT AND NATURAL RESOURCES
FEDERAL ADVOCACY COMMITTEE
2026 WORK PLAN

The main purpose of the Energy, Environment and Natural Resources (EENR) Federal Advocacy Committee is to 1) provide input and advocate on legislative priorities, 2) review and approve policy proposals and resolutions, and 3) engage in networking and sharing of best practices.

NLC's 2026 Federal Action Agenda is a biannual agenda mapped to the Congressional cycle to guide local advocacy efforts on Capitol Hill and with the Administration. The agenda for 2026 is about strengthening local economies through federal partnership and positioning local leaders as key partners in shaping federal policies to meet the needs of their communities. The 2026 Action Agenda outlines NLC's core principals, aims to support cities, towns and villages of all sizes in successfully accessing federal grant opportunities, and urges Congressional and Administrative action in helping to solve some of the most pressing challenges at the local level.

The charge to each of NLC's federal advocacy committees is to develop a work plan to further the Federal Action Agenda. Core EENR issues fall under several pillars of the 2026 Action Agenda. The committee will meet over the course of the year to engage in advocacy activities and develop policy recommendations, as necessary. Committee members will also share best practices, successes and challenges in utilizing these new federal funding opportunities.

Summary of Last Year's Activities

Last year, the EENR Committee supported advocacy efforts on climate change and water infrastructure as the top issues. Specifically, the committee focused on protecting clean energy tax credits for local governments; the need for federal financial resources for local governments; building community resilience by strengthening disaster preparedness and investing in mitigation efforts; and protecting municipal governments from liability under CERCLA.

Congressional and Administrative Actions and NLC Accomplishments in 2025:

- **Congress –** NLC continued to lay the groundwork and educate members of Congress about the need for liability protection for municipal governments around PFAS. NLC also stemmed the complete rollback of the Elective Pay clean energy tax credits for local governments. Additionally, NLC protected full/level funding for water infrastructure funding and financing programs the local governments utilize in the FY25 and FY26 appropriations cycles.

- **Administration –** NLC helped communities navigate and understand uncertainty and federal grant changes under the new Administration, including advocating for communities to receive their designated formula funding under the Energy Efficiency and Conservation Block Grant. NLC published resources for communities to help local leaders understand new federal requirements around PFAS and the Lead and Copper Rule that were finalized in 2024. NLC weighed in on a number of regulatory proposals from the U.S. Environmental Protection Agency under the Safe Drinking Water Act and Clean Air Act to share the perspective of local governments.

EENR PRIORITY AREAS

Water
What to watch in 2026:

- **Water infrastructure funding under the bipartisan Infrastructure Investment and Jobs Act (IIJA) continues to be available.**
    - The funding allocations for the Clean Water and Drinking Water State Revolving Funds (SRFs) under the U.S. Environmental Protection Agency (EPA) hit their maximum levels in FY25 and FY26 - $2.603 billion each per year. While all states have received their FY25 allocations, EPA has yet to award funds for FY26. NLC will continue to track these opportunities for local governments, as well as the projects funded with previous year allocations.

- **Annual appropriation for clean water and drinking water programs –** While the IIJA included significant water infrastructure funding through the state revolving fund programs, most of that funding will go from states to local governments in the form of loans. NLC continues to advocate for increase annual appropriations for targeted grant programs to local governments, as well as full appropriation of the Clean Water and Drinking Water SRFs and Water Infrastructure Finance and Innovation Act (WIFIA) program. The President's budget request for FY25 and FY26 proposed to drastically cut these federal programs that support communities, however, Congress passed level appropriations amounts in both cases. NLC continues to track appropriations for FY27.
    - **SRFs. vs. earmarks** – There is growing concern, particularly at the state level, that the return of Congressional Directed Spending (or earmarks) is siphoning funds away from the State Revolving Funds. For the past couple of years, Congress has awarded communities with water infrastructure grants, but these awards have come from the total allocation for the State Revolving Funds. This has resulted in state winners and losers in terms of net water infrastructure funding. NLC's position is that any funding for Congressional Directed Spending for water infrastructure should be in addition to the appropriations for State Revolving Funds, rather than off the top.

- **Reauthorization of water infrastructure funding and financing programs** – The authorization for water infrastructure programs included in the IIJA ends Sept. 30, 2026. NLC is asking Congress to reauthorize water infrastructure finance programs, like the Clean Water and Drinking Water SRFs and WIFIA, as well as local government targeted grant programs, at IIJA levels or higher (at a minimum to account for inflation). Reauthorization work is getting underway in the House Transportation and Infrastructure Committee, House Energy and Commerce Committee and Senate Environment and Public Works Committee.
    - **Take Action:** Local leaders can let their Members of Congress know their local transportation and water infrastructure priorities and ask Congress to support infrastructure reauthorization.
    - While we have not yet seen a comprehensive water reauthorization package in either chamber, several bills have been introduced that reauthorize specific CWA or SDWA programs, including:
        - H.R. 6229 – Water Infrastructure Finance and Innovation Act Amendments
        - H.R. 7376 – Local Water Protection Act
        - H.R. 4961 – Public Utility Remediation and Enhancement for Water Act

        - S. 3590/H.R. 5566 – Water Infrastructure Resilience and Sustainability Act

- **Clean water and drinking water policy changes –** NLC supports legislation that would provide additional flexibility for communities, including:
    - **H.R. 2093** – A bill to extend the maximum term for **National Pollutant Discharge Elimination System** permits issued under the Clean Water Act from five to ten years to better reflect water utility project construction schedules.
    - **S. 2007/H.R. 3892 – Financing Lead Out of Water (FLOW) Act** – to amend the tax code to allow water utilities to use tax-exempt bonds to pay for private-side lead service line replacement without navigating the IRS red tape.
    - **H.R. 4733 – Low Income Household Water Assistance Establishment Program** – to reauthorize the Low Income Home Water Assistance Program (LIHWAP) under the U.S. Department of Health and Human Services. LIHWAP was funded through ARPA and the FY21 appropriations bill; funds have since expired. The program provided funds to assist low-income households with water and wastewater bills.
    - **H.R. 2977 – Mississippi River Restoration and Resilience Initiative (MRRRI)** – to establish a non-regulatory initiative that will coordinate restoration and resilience opportunities along the Mississippi River corridor. MRRRI is modeled around the Great Lakes Restoration Initiative.
    - **S. 857/H.R. 1871 – Water Conservation Rebate Tax Parity Act** – to amend Federal tax law so that homeowners would not need to pay income tax when they receive rebates from water utilities for water conservation and water runoff management improvements.

- **Congressional Legislation on PFAS –** A key issue for local governments is around liability – local governments (including municipal airports, fire departments, landfills and water utilities) should not be held liable for PFAS contamination or cleanup costs. With final regulations from EPA on PFAS issued in 2024, local governments need Congress to act. NLC urges Congress to pass legislation that would provide legal and financial liability protection for local governments that did not cause or contribute to PFAS contamination in the community.
    - NLC supports the bipartisan Water Systems PFAS Liability Protection Act (H.R. 1267, sponsored by Reps. Gluesenkamp Perez (D-WA) and Celeste Maloy (R-UT).
    - NLC will cohost a Congressional briefing on PFAS municipal liability on March 23.
    - **Take Action:** Local leaders must weigh in with their Congressional delegation about why municipal liability protection is critical to include in any PFAS legislation.

- **EPA Regulations** – NLC recently submitted comments to EPA on the following proposed rules:
    - Updated Definition of "Waters of the U.S." under the Clean Water Act. In Feb. 2025, industry groups petitioned EPA to revisit the latest (Oct. 2023) version of the rule to determine conformity with the U.S. Supreme Court June 2023 decision in *Sackett v. EPA*.

- **National Primary Drinking Water Regulation for Perchlorate** and Maximum Contaminant Level Goal. EPA is expected to issue a final regulation by May 2027.
- In April 2026, NLC and NACo will serve as co-hosts for the **2026 National Stormwater Policy Forum**. This hybrid convening co-led by the Water Environment Federation and the National Municipal Stormwater Alliance, is an opportunity to learn about current national policy issues impacting the stormwater sector today. *Online registration coming soon.*

- **Final EPA Actions to Continue Watching –** Although the following items are final actions by EPA, there are pending issues and concerns from local governments that need to be resolved. Additionally, some regulatory actions face legal challenges that could prompt administrative revisions to the final rules.
  - **Lead and Copper Rule** – Under the Lead and Copper Rule Revisions, all community water systems must have completed a lead pipe inventory by Oct. 2024. Under the Lead and Copper Rule Improvements, finalized in Oct.2024, community water systems must replace all lead pipes by Oct. 2027, among other requirements.
    - In Aug. 2025, EPA stated it would offer implementation flexibilities for local governments under this rule, but has not expanded on what that means for communities.
  - **National Primary Drinking Water Regulation for PFAS** – In April 2024, EPA released a the final National Primary Drinking Water Regulation that establishes legally enforceable levels, called Maximum Contaminant Levels (MCLs), for six PFAS in drinking water.
    - The White House Office of Management and Budget (OMB) is reviewing an EPA proposed rule that provides additional time for public water systems to meet the compliance deadlines for the Maximum Contaminant Levels in the National Primary Drinking Water Regulations for PFOA and PFOS. Through this rule, EPA intends address the most significant compliance challenges EPA has heard from public water systems and other stakeholders while still ensuring the long-term protection of the American people from PFAS-contaminated drinking water.
    - OMB is also reviewing an EPA proposed rule to withdraw its regulatory determinations to regulate four PFAS chemicals under a so-called Hazard Index.
  - **PFAS Chemicals Designation Under CERCLA** – In April 2024, EPA released a final rule designating two PFAS chemicals as hazardous substances under CERCLA. The rule will have cost and liability concerns for local governments, including drinking water, wastewater and stormwater utilities and municipal airports and landfills. EPA has a separate rulemaking to regulate additional PFAS chemicals under CERCLA.
  - **Financial Capability Assessment Guidance** – NLC has engaged the past three Administrations around efforts to develop an integrated planning framework and revise the Financial Capability Assessment Guidance to better support communities in determining affordability of wastewater projects and meeting the requirements of the Clean Water Act. There may be an opportunity to revisit the existing Financial Capability Assessment Guidance, finalize during the Biden Administration, because previous guidance from the first Trump Administration, which NLC supported, did not go into effect.

Climate Change, Clean Energy and Community Resilience
What to watch in 2026:

- **Status of climate change, clean energy and community resilience programs under the Bipartisan Infrastructure Law and Inflation Reduction Act.**
    - In July 2025, Congress passed the One, Big, Beautiful Bill Act that contained important changes to the Elective/Direct Pay mechanism created through the Inflation Reduction Act (IRA). It is critical that local leaders understand the new timelines and requirements for EV and clean energy project eligibility, as well as be fully prepared to take advantage of the tax credits while available.
        - NLC is advocating to prevent clawback/repurposing of IRA funding and programs and to restore the Elective Pay clean energy tax credit. NLC supports **H.R. 5862 – American Energy Independence and Affordability Act.**
        - Forthcoming – **Energy Bills Relief Act** is comprehensive legislation that would restore clean energy tax credits, reauthorize the Weatherization Assistance Program and more. Section by Section and One Pager.
        - In Feb. Treasury and the IRS published Notice 2026-15 with new interim guidance about the Prohibited Foreign Entity Material Assistance Requirements.
    - **Take Action:** Local leaders should also let their Members of Congress know the clean energy projects planned in their community and how the tax bill changes will impact the viability of those projects. Sharing your story is key to a possible reinstatement of the tax credits in the future, ensuring cities, towns and villages continue have funding and financing streams for future clean energy projects.
    - NLC continues to track IIJA grants to local governments and usage of Elective Pay clean energy tax credits through the Rebuild America Dashboard.
        - Any community that previously filed for Direct Pay in 2024 or 2025 is encouraged to add their project to the Local Government Direct Pay Tracker to help build out a public dashboard and show the impact of the clean energy tax credits.

- NLC supports H.R. 4307 to reauthorize the **Energy Efficiency and Conservation Block Grant**. The EECBG program is a vital tool that can be used by cities, counties and states throughout the U.S. to promote energy efficiency, increase energy independence and reduce greenhouse gas emissions. Additionally, in a letter to the U.S. Department of Energy (DOE) on Sept. 29, 2025, NLC urged DOE to expeditiously release the designated formula funds for communities over 35K in population. NLC is awaiting a response from DOE.

- **Climate resilience legislation** – Addressing climate change and resilience is a key priority for local government and a broad coalition of stakeholders. NLC supports the following legislation to strengthen community resilience and federal-state-local pre-disaster mitigation and hazard mitigation:
    - **Excess Urban Heat Mitigation Act** (S. 1166/H.R. 3703) – to create a competitive grant program through the U.S. Department of Housing and Urban Development to provide funding to combat the causes and effects of excess urban heat and heat islands.
    - **Extreme Heat Emergency Act** (S. 2331/H.R. 4497) – to amend the Stafford Act to include extreme heat in the definition of a major disaster.
    - **Wildfire Response Improvement Act** (H.R. 1393) – sponsored by Reps. Stanton (D-AZ) and LaMalfa (R-CA), directs the Federal Emergency

Management Agency (FEMA) to update its regulations and guidance for the Fire Management Assistance Grant, Public Assistance, and mitigation programs to better respond to the unique challenges of wildfires and improve wildfire mitigation—including debris removal, emergency protective measures and impacts to drinking water resources. The bill would also improve FEMA's benefit cost analysis for wildfire mitigation projects to help them be more competitive for federal funding.

- **Wildfire Resilient Communities Act** (S. 2208/H.R. 4295) – to create a $30 billion fund to allow the U.S. Forest Service, Bureau of Land Management, and other land management agencies to increase catastrophic wildfire reduction projects and reauthorize and triple funding up to $3 billion for the U.S. Department of Agriculture Community Wildfire Defense Grant program.
- **Energizing Our Communities Act** (S. – to create a new Community Economic Development Transmission Fund to provide funding back to communities that host energy transmission infrastructure for community infrastructure improvements and natural resources. The funding would be derived from interest already collected from U.S. Department of Energy loan repayments and deposited into the Treasury.
- **Cool Corridors Act** (H.R. 4420) – extends and expands the Healthy Streets program to fund and support tree canopy, shade, and heat mitigation infrastructure along transportation corridors, prioritizing underserved communities and requiring robust planning, reporting, and interagency coordination.
- **TREES Act** (H.R. 3009) – to help homeowners lower energy costs, increase tree canopy in underserved communities, and help mitigate the effects of climate change through residential tree planting. The TREES Act would create a cost-share grant program under DOE to provide $50M in funding to plant a minimum of 300,000 trees annually in residential neighborhoods through 2028. The program seeks to prioritize low income communities, as well as areas with low tree canopy and heat islands.

- **EPA Regulations** –
  - NLC submitted comments to EPA on a proposed rule to repeal greenhouse gas emissions standards for new and existing coal and gas power plants. EPA expects to release a final rule in Sprin 2026. (Rulemaking similar to the Obama Clean Power Plan and the Trump Affordable Clean Energy rule.)
  - NLC released a statement on EPA's recent announcement to rollback the 2009 Endangerment Finding in Feb.

- **Data Centers** – President Trump has taken action across several federal agencies to accelerate the development of data centers across the country to meet the nation's growing technological needs. Data centers can have negative environmental impacts on communities—from increased water and energy usage. NLC developed several fact sheets for local leaders to understand data centers and their environmental impacts, as well as community strategies to address data center development. NLC will continue to develop resources to support local leaders on this issue.

- **Preemption** – NLC opposes the **Energy Choice Act** (S. 1945/H.R. 3699), which would prevent state and local governments from restricting access to energy services based on the type or source of energy.

- **Climate litigation** – See legal update.

Farm Bill Reauthorization
While the Farm Bill expired on Sept. 30, 2023, some traditional titles of the bill were reauthorized in the 2025 One Big Beautiful tax bill. The Inflation Reduction Act, provided nearly $20 billion to USDA Conservation programs, which were largely redirected in the tax bill. Other titles are currently operating under a Continuing Resolution until September 30, 2026. The Farm Bill has a significant impact on both rural and urban communities. NLC is advocating for Congress's continued support for programs and policies in the legislation essential to local economic success and quality of life through important titles such as **Rural Development Title, Nutrition Title, and the Conservation Title.**

What to watch in 2026:
- In March, the House Agriculture Committee passed the **Farm, Food and National Security Act** (H.R. 7567).
- The House bill includes language that would **prevent states and local governments from implementing pesticide permit programs**.
    - **Agricultural Labeling Uniformity Act** – to prohibit state and local governments from adopting pesticide laws that are more protective than federal rules, including prohibiting supplemental requirements or warnings that are different from federal labels.
    - **Ending Agricultural Trade Suppression (EATS) Act** – to prohibit state and local governments from imposing standards or conditions on any agricultural products produced in another state and sold in interstate commerce.
- **Rural Partnership and Prosperity Act** (H.R. 6041) – Last Congress, NLC sent a joint letter to House and Senate Agriculture Committee members urging them to provide funding for a rural capacity building program for rural local governments and our non-governmental partners in the Farm Bill. The Rural Partnership and Prosperity Act is standalone legislation that we hope can be included in the Farm Bill.

Brownfields Reauthorization
In 2018, NLC successfully advocated for a reauthorization of the EPA Brownfields program with key changes to assist with the cleanup and redevelopment of large, complex brownfields sites. Specifically, these changes included:
- Authorizing multipurpose grants up to $1 million
- Increasing funding for remediation grants to $500,000, with the ability for EPA to go up to $650,000 per site
- Allowing up to 5 percent of grant amounts to be used for administrative costs
- Allowing local governments to be eligible to receive brownfield assessment or remediation grants for brownfields properties that were acquired prior to Jan. 11, 2002
- Addressing liability concerns for the "voluntary" acquisition of properties
- Reauthorizing the program through 2023 and maintaining the existing authorization level of $200 million annually.

What to watch in 2026:
- The Brownfields program authorization expired in 2023. On the House side, the Energy and Commerce Committee and Transportation and Infrastructure Committee share jurisdiction over Brownfields. On the Senate side the issue falls under the Environment and Public Works Committee. In February 2025, the Senate Environment and Public

Works Committee passed the **Brownfields Reauthorization Act** (S. 347, sponsored by Sens. Capito (R-WV) and Blunt Rochester (D-DE)), but it has not come up for a vote on the Senate Floor. Recently, the House Committee on Energy and Commerce held a hearing on four reauthorization discussion drafts, which contain several provisions that are concerning to local governments—namely allowing private-sector entities to be eligible for EPA grants and establishing a priority ranking category for "nationally significant infrastructure facilities," which would include data centers. Read NLC's Letter for the Record.

- **Brownfields Redevelopment Tax Incentive Reauthorization Act** (H.R. 815) **–** to allow taxpayers to fully deduct the cleanup costs of contaminated property in the year the costs were incurred. Brownfield Tax Incentive was first passed in 1997 to allow parties who voluntarily investigated and remediated contaminated properties to deduct all cleanup costs on their federal income tax return in the year the money was spent. By allowing for expensing rather than requiring remediation deductions to be spread out over ten years, the tax incentive was a powerful driver of private investment in the economic revitalization of brownfields. The tax incentive expired in 2012. NLC supports the bill.

Recycling Infrastructure, Plastics and Food Waste

While solid waste management is a local issue, the federal government is an important partner. Cities, towns and villages across the country urge the federal government to develop a national policy that includes source reduction, volume reduction and resource recovery. Collaborative efforts to reimagine and restructure our nation's waste management and recycling systems are even more critical given the recent impacts on local and national recycling markets.

In December, Congress passed and the President signed into law the **Save Our Seas 2.0 Amendments Act** (S. 216), which reauthorizes several parts of the original Save Our Seas 2.0 law, specifically the Solid Waste Infrastructure for Recycling grant program at EPA through FY2029.

What to watch in 2026:

- **Congressional legislation** to help local governments improve recycling infrastructure, develop recycling programs, improve recyclability and reuse of plastics, and address food waste, which NLC supports:
    - **STEWARD Act** (S. 351, sponsored by Sens. Capito (R-WV), Whitehouse (D-RI) and Boozman (R-AR)) – The STEWARD Act is the combination of the **Recycling Infrastructure and Accessibility Act** (H.R. 2145) and the **Recycling and Composting Accountability Act** (H.R. 4109).The bills create a new pilot program for competitive grants to communities to enhance recycling accessibility and modernize and harmonize collection of recycling and composting data.
    - **Break Free From Plastic Pollution Act** – to create an extended producer responsibility/product stewardship framework, as well as address source reduction and the phasing-out of single use plastic products.
    - **Zero Food Waste Act** (S. 3443/H.R. 6684) - Establishes a $650 million annual EPA grant program from 2026 to 2035 to support local efforts to reduce food waste by 50% by 2035 through prevention, rescue, upcycling, recycling, and related activities.
- In February, NLC and WM collaborated on a **Sustainability Forum** which brought together a small group of local officials to discuss the future of waste and recycling in U.S. cities, towns and villages. The local leaders in attendance shared their innovations and challenges around recycling.

Permitting Reform

Streamlining the federal permitting process is a key priority for Congress and the Administration. A focus has been on efforts to speed up oil and gas permitting. Local officials also acknowledge that the National Environmental Protection Act (NEPA) can be cumbersome causing delays in projects. In 2023, some modest **NEPA reforms**, which NLC supported, passed Congress as part of the debt ceiling bill.

Previous proposed permitting reform legislation included preemption provisions: 1) around Sec. 401 of the Clean Water Act related to Water Quality Standards, which NLC opposed during a prior rulemaking process and 2) energy transmission, which NLC has specific policy language opposing.

What to watch in 2026:

- Permitting reform will continue to be a topic of discussion among House and Senate Republicans and Democrats. One of the priorities for Democrats is to streamline permitting for clean energy projects. One of the priorities for Republicans is to streamline permitting for oil and gas projects. NLC is watching the following energy-related permitting legislation:
    - **Standardizing Permitting and Expediting Economic Development (SPEED) Act (H.R. 4776)** – Amends NEPA to clarify its procedural nature, streamline and expedite environmental reviews, limit the scope of analysis and judicial review, and impose strict deadlines on federal agencies and courts. The bill passed the House in December.
- NLC is watching the following water-related permitting legislation:
    - **Promoting Efficient Review for Modern Infrastructure Today (PERMIT) Act (H.R. 3898)** – While NLC was watching this legislation as a whole, NLC supports several provisions in the bill, including:
        - clarifying that permits must include only clear, objective, concrete limits on specific pollutants or waterbody conditions, and that as long as permit holders are adhering to these clear effluent limitations, they are in compliance under the law.
        - Codifying the longstanding EPA policy that permit holders are shielded from liability if they are following the terms in their NPDES permits and have provided all relevant information to the permit writer during the application process. The legislation responds directly to legal challenge the San Francisco Public Utilities Commission has taken to the U.S. Supreme Court, with implications for all wastewater utilities.
        - Authorizing NPDES permits to be issued for up to ten years.
- In 2023, some modest **NEPA reforms**, which NLC supported, passed Congress as part of the debt ceiling bill.
    - The Biden Administration developed rules to implement the NEPA changes. However, some members of Congress did not view the rules as following the intent of the law and introduced a Joint Resolution to void them.
    - In November 2024, the D.C. Circuit Court of Appeals issued a ruling in *Marin Audubon Society v. Federal Aviation Administration* holding that the White House Council on Environmental Quality (CEQ) lacks the authority to issue binding regulations implementing NEPA.
    - In Feb. 2025, CEQ issued an Interim Final Rule to remove the long-standing and overarching federal regulations that guide how agencies implement NEPA. The action is designed to give agencies more flexibility to implement and/or modify

their own NEPA procedures. The action is in response not only to the legal challenge, but also the Executive Order on Unleashing American Energy.
- Since then, Federal agencies have been updating their own implementing guidelines for NEPA, such as the Department of the Interior in Feb.
- NLC will continue to monitor this issue and assess the impact on local governments.

ENERGY AND ENVIRONMENT LEGAL UPDATE

1. Texas v. EPA – DC Circuit

Update since City Summit: None—*On July 18, 2025, the court granted the private petitioner's motion to hold the case in abeyance. The court also ordered the private petitioners to file status reports at 60-day intervals, starting September 16, 2025, and directed the parties to file motions to govern further proceedings within 30 days of the conclusion of agency proceedings. Private petitioners timely submitted their first status report on September 16, 2025, noting that EPA has proposed rules to repeal all GHG standards for light-duty, medium-duty, and heavy-duty vehicles and engines.*

On December 30, 2021, EPA issued a final rule under Section 202(a) of the Clean Air Act, updating the vehicle emissions standards applicable to cars produced in model years 2022-2026. These updated standards reduced the permissible greenhouse gases ("GHGs") "tailpipe emissions" from these vehicles. For 40 years, these standards have been set, not by per-vehicle measurements, but by "fleetwide averaging" - that is, by averaging the emissions of all vehicles produced by a manufacturer. EPA's new thresholds assume that electric vehicle ("EV") use will continue to increase, and for the purpose of averaging EPA treats EVs as though they have no tailpipe emissions. This rule was immediately challenged by a coalition of several Republican-controlled states (the "State Petitioners"), joined by a number of individual plaintiffs, private sector businesses, and nonprofits (together, the "Private Petitioners"). This coalition has broadly attacked EPA's regulatory authority and cost-benefit methodology and argues that the new rule presents a "major question" that requires express Congressional authorization.

NLC filed an *amicus* brief in this case in March 2023. Oral argument was heard in September 2023. At the Court's request, a supplemental briefing was submitted in August and September 2024 on the impact of the Supreme Court's decision in Ohio v. EPA on this case.

On February 6, 2025, the private petitioners filed a motion to hold the case in abeyance while EPA reviews the Heavy-Duty Vehicle Rule and complies with Trump's Executive Order 14154, Unleashing American Energy.

Local government impact: The local government position in the amicus addresses the familiar climate concerns we have addressed in previous briefs: the impacts climate has on cities nationwide, and the role of cities as climate innovators dependent, to some degree, on federal regulation to provide a predictable and helpful context to reduce GHGs. NLC's *amicus* brief focuses on two narrow legal issues of particular concern to local governments.

First, it addresses Private Petitioners' argument that EPA acted arbitrarily by regulating "tailpipe" emissions rather than considering the full "lifecycle emissions" of EVs (which would include emissions from power plants that charge EVs). This is particularly important to local governments because tailpipe emissions are a major source of air pollution in municipalities across the country. The Clean Air Act prevents state and local governments from regulating tailpipe emissions on their own, and so municipalities have no tools to restrain these emissions except federal regulation. While EPA's rule focuses on GHG emissions, it will also save American communities more than $12 billion in public health benefits by reducing non-GHG

tailpipe emissions that cause asthma, heart attacks, respiratory illnesses and premature death. Private Petitioners ignore these benefits in their brief.

Second, the amicus brief addresses petitioners' proposed expansion of the "Major Questions Doctrine." Petitioners argue that EPA's rule will cause more EVs to be produced, and that more EVs may strain electrical grids, which are largely regulated by states. Petitioners argue that this causal chain means that any EPA action that might encourage EV use must be specifically approved by Congress. However, if the Major Questions Doctrine is expanded in the way that Petitioners ask, it could cause chaos in local governments. Many federal regulations overlap with and affect important areas of state and local policy; barring any federal regulation that would affect an area of state interest ignores the reality of American federalism and would cripple municipalities' ability to rely on and respond to federal regulation.

2. West Virgina v. EPA – DC Circuit – Greenhouse Gas Emissions from Power Plants

Update since Summer Board and Leadership Meeting: None—*The case continues to be held in abeyance, as of April 25, 2025. The parties are required to file status reports at 90-day intervals starting July 24, 2025. EPA has proposed to repeal the underlying rules. EPA's next status report was due October 22, 2025, but due to the government shutdown, the court ordered the agency to file its status report within 10 days of appropriations being restored.*

Litigation Summary: On May 9, 2024, an assemblage of states (Petitioners) challenged a final rule promulgated by the U.S. Environmental Protection Agency (EPA) that (1) repeals the Trump administration's Affordable Clean Energy (ACE) Rule and (2) sets new source performance standards for greenhouse gas (GHG) emissions for new and existing fossil fuel-fired electric generating units (EGUs) (i.e., coal and natural gas-fired power plants).

The rule comprises several actions under Section 111 of the Clean Air Act to "reduce the significant quantity of GHG emissions from fossil fuel-fired [power plants] by establishing emission guidelines and new source performance standards (NSPS) that are based on cost-effective technologies that directly reduce GHG emissions from these sources." Specifically, the rule addresses climate pollution from existing coal-fired power plants and is intended to ensure that new combustion turbines are constructed to minimize GHG emissions by requiring those plants to achieve emissions reductions through the use of carbon capture and sequestration (CCS), among other pathways.

The petition for review contends that the final rule "exceeds [EPA's] statutory authority, and otherwise is arbitrary and capricious, an abuse of discretion, and not in accordance with law." One of their main arguments against the NSPS is that, in their view, CCS as a viable technology has not been "adequately demonstrated" and must be broadly available before the EPA can determine it is the BSER. See 42 U.S.C. § 7411(a)(1).

On May 13, 2024, the Petitioners filed a motion to stay the rule during the pendency of the litigation. On July 19, 2024, a three-judge panel of the D.C. Circuit unanimously denied the request for a stay, stating:

> "[P]etitioners have not shown they are likely to succeed on [their claims]. Nor does this case implicate a major question under West Virginia v. EPA . . . because EPA has claimed the power to 'set emissions limits under Section 111 based on the application of

> measures that would that would reduce pollution by causing the regulated source to operate more cleanly[,]' a type of conduct that falls well within EPA's bailiwick."

Accordingly, the rules will remain in effect during the litigation; the U.S. Supreme Court did not grant an emergency application seeking an immediate stay. The outcome of this case will directly impact how electricity is generated and the future of fossil fuel-fired power plants, especially with regard to CCS and co-firing requirements. NLC filed an *amicus* brief in this case in October 2024.

On February 5, 2025, EPA submitted an unopposed motion to hold the case in abeyance to "provide new [EPA] leadership with sufficient time to familiarize themselves with these issues and determine how they wish to proceed." The court granted that motion on February 19, 2025.

This case builds on previous *amicus* briefs: in 2016 supporting the Obama Administration's Clean Power Plan (*West Virginia v. EPA*); in 2020 challenging the Trump Administration's repeal of the Clean Power Plan and issuance of the Affordable Clean Energy Rule (*New York v. EPA*); and in 2022 pertaining to the scope of EPA's authority to regulate greenhouse gas emissions from existing fossil fuel power plants under Section 11(d) of the Clean Air Act (*West Virginia v. EPA*).

3. Mayor and City Council of Baltimore v. BP et. al – Maryland Supreme Court

Update Since City Summit: None—*In January 2025, NLC filed an amicus brief in this case before the Appellate Court of Maryland. The case was transferred to the Maryland Supreme Court before it was heard in the appellate court. By rule, the amicus brief had to be refiled, which was done in June 2025. The case has been consolidated for briefing and argument with the Annapolis and the Arundel County cases. Oral argument was held in Oct. 2025.*

On June 10, 2019, the U.S. District Court for Maryland granted the City of Baltimore's motion to remand to Maryland state court the City's case against fossil fuel companies for climate change related damages. In a lengthy and comprehensive opinion, the judge rejected each of defendants' "proverbial 'laundry list' of grounds for removal." The court held that the City's public nuisance claim was not governed by federal common law, and that its claims did not necessarily raise substantial and disputed federal issues and were not completely preempted. The court also held that there was no federal enclave jurisdiction, no jurisdiction under the Outer Continental Shelf Lands Act, no federal officer removal jurisdiction, and no bankruptcy removal jurisdiction. The decision follows a similar order granting remand in the San Mateo County appeal currently pending in the Ninth Circuit.

Federal law allows defendants to "remove" a case brought in state court into federal court if the federal court has jurisdiction over the case. BP claims that the federal court has jurisdiction to hear this case on eight grounds, including the federal officer removal statute. This statute allows federal courts to hear cases involving a private defendant who can show that it "acted under" a federal officer, has a "colorable federal defense," and that the "charged conduct was carried out for [or] in relation to the asserted official authority."

A federal district court rejected all eight grounds BP alleged supported removing this case to federal court. The federal district court remanded the case back to Maryland state court.

28 U.S.C. §1447(d) generally disallows federal courts of appeals to review federal district court orders remanding a case back to state court which was removed to federal court. The statute creates an exception for "an order remanding a case to the State court for which it was removed pursuant to" the federal officer removal statute or the civil-rights removal statute (not at issue in this case).

BP asked the Fourth Circuit to review all eight of its grounds for removing the case to federal court because one of the grounds it alleged--federal officer removal--is an exception allowing federal appellate court review.

The Fourth Circuit refused to review all eight grounds. It cited to a Fourth Circuit case decided in 1976, Noel v. McCain, holding that "when a case is removed on several grounds, appellate courts lack jurisdiction to review any ground other than the one specifically exempted from §1447(d)'s bar on review." BP argued that a 1996 Supreme Court case and the Removal Clarification Act of 2011 "effectively abrogated" the 4th Circuit decision. The Fourth Circuit disagreed but acknowledged other courts have reached different conclusions.

NLC filed an amicus brief in this case in the Fourth Circuit. Oral arguments were held in December 2019. In March 2020, the Fourth Circuit upheld the district court's ruling to remand the case to state court, consistent with NLC's amicus brief. Later in March, the defendants filed a certiorari petition in the U.S. Supreme Court.

On July 31, 2020, the judge denied defendants' motion for a stay pending appeal of her remand order. The 4th Circuit declined to stay the district court's remand of the case to state court pending the appeal. This then caused the defendants to ask the district court to extend its stay of the remand, pending a petition for an emergency stay to the U.S. Supreme Court. The district court agreed, but also gave plaintiffs the opportunity to move to rescind the stay. The petition for an emergency stay was denied by the U.S. Supreme Court in October. The only precedent for anything like this would be the Supreme Court's stay of the Clean Power Plan.

In Oct. 2020, the U.S. Supreme Court decided to take up the case. The Court question before the court was whether a federal appellate court may review all the grounds upon which a defendant claims its case should not be sent back to state court when only one of the grounds the defendant alleges is specifically listed in federal statute as a basis for federal appellate court review. The U.S. Supreme Court heard oral argument in this case in January 2021. The State and Local Legal Center filed a brief in the case, with NLC participating.

In June 2021, the U.S. Supreme Court held that a federal court of appeals may review any grounds the district court considered for trying to remove a case to federal court where one of the grounds was federal officer or civil rights removal. In September 2021, NLC filed an amicus brief in the remand of the case by the U.S. Supreme Court back to the Fourth Circuit. The Fourth Circuit heard oral argument in this case in January 2022 on the question of jurisdiction. Read more here. In April 2022, the Fourth Circuit remanded the case to state court. In May, the Fourth Circuit denied a petition for rehearing en banc. Defendants subsequently filed a cert petition with the U.S. Supreme Court, which was denied in April 2023. After remand from federal court in April 2023, the Maryland Circuit Court is proceeding with the case on its merits.

The case went to state court, where the defendants made a successful motion to dismiss on grounds that federal law preempted any state lawsuit as a matter of federal common law and the Clean Air Act. In addition, though not necessary to the court's conclusion, it found that the various state causes of action (public nuisance, trespass, strict liability, negligence, and the

Maryland Consumer Protection law) did not apply. The essence of the preemption ruling is that regardless of how this was framed (as deceptive marketing that denied fossil fuels contributed to climate change), it really was about regulating air pollution globally — and that is a federal and not a state concern.

NLC's amicus brief in this case makes three interrelated arguments:

(1) the decision would render state, county, and municipal governments helpless in addressing deceptive marketing if it can be said that the marketing is nationwide or even greater and had the same effect throughout the nation. Yet, the federal scheme on consumer protection anticipates state and local government actions to assure that consumers are not deceived or subject to marketing fraud. From the enactment of "little FTC acts" and false advertising laws, state and local governments regularly protect consumers without harmful effect on federal efforts (and in many cases, coordinated attempts to enforce respective consumer laws).

(2) the decision fails to recognize that the same thing is true of environmental laws. States have significant responsibility to assure healthy environments in terms of clean water and air. State and local governments expend significant resources in furthering those interests, which complement and do no frustrate federal efforts. Other state laws also figure in this important state and local interest such as nuisance laws. For example, if a factory on one side of a state border spews pollutants that the wind carries into a municipality in another state, there is no federal common law or CAA preemption of the ensuing cause of action.

(3) the decision adopts the defendants' characterization of the complaint over what the city of Baltimore actually pleaded, denying the deceptive marketing focus in favor of calling it a climate-change lawsuit. Municipalities, like any other plaintiff, must be treated as the master of their complaints. If defendants could recharacterize it, then they are the masters of nothing. One can pursue a deceptive marketing claim without forcing anyone to change their product or business except to assure that they tell the truth about their products. Moreover, courts regularly restrict the remedy afforded a successful plaintiff to that which addresses what the case legitimately is about. That provides defendants with all the protection they require when they claim that the lawsuit improperly affects uniquely federal interests.

4. ***Nebraska v. EPA – DC Circuit – Heavy Duty Vehicle Emissions Standards***

Update since City Summit: None—*The case is held in abeyance, as of March 4, 2025. Parties are required to submit status reports every 90 days starting August 6, 2025. EPA submitted its required status report on August 6, 2025, stating that the agency is going through notice-and-comment rulemaking to repeal the challenged rule.*

On May 13, 2024, Nebraska's Attorney General Mike Hilgers led a coalition of 24 states to file a petition for review in the U.S. Court of Appeals for the D.C. Circuit, seeking to declare the EPA's final rule concerning GHG Standards for Heavy-Duty Vehicles – Phase 3 (Phase 3) unlawful and vacate the EPA's action. *See* 89 Fed. Reg. 29,440 (April 22, 2024). The petition asserted that the rule "exceeds the agency's statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with the law." Similar to *Kentucky v. EPA*, this case may have significant impacts on heavy-duty vehicle transportation standards and emissions reductions in the transportation sector.

In January 2025, NLC filed an *amicus* brief in this case. On February 6, 2025, the private petitioners filed a motion to hold the case in abeyance while EPA reviews the Heavy-Duty Vehicle Rule and complies with Trump's Executive Order 14154, Unleashing American Energy.

5. ***Kentucky v. EPA – DC Circuit – Light/Medium Duty Vehicle Emissions Standards***

Update since City Summit: None—*The case is held in abeyance, as of March 4, 2025. Parties are required to submit status reports every 90 days starting August 6, 2025. EPA submitted its required status report on August 6, 2025, stating that the agency is going through notice-and-comment rulemaking to repeal the challenged rule.*

On April 18, 2024, Kentucky and 24 states filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit, seeking to vacate the EPA's final rule on light- and medium-duty vehicle emissions standards for model years 2027-2032. *See* 89 Fed. Reg. 27,842 (Apr. 18, 2024) (effective June 17, 2024).[1] The Petitioner's asserted that the final rule "exceeds the [EPA's] statutory authority, and otherwise is arbitrary and capricious, an abuse of discretion, and not in accordance with law." This case may have significant impacts on light- and medium-duty vehicle transportation standards and emissions reductions in the transportation sector.

In December 2024, NLC filed an *amicus* brief and motion for leave in this case. On February 6, 2025, the private petitioners filed a motion to hold the case in abeyance while EPA reviews the Light- and Medium-Duty Vehicle Emissions Standards and complies with President Trump's Executive Order 14154, Unleashing American Energy.

6. ***Association of Contracting Plumbers v. City of New York – Second Circuit***

NEW: *NLC filed an amicus brief in this case on November 6, 2025. Oral arguments were held on Jan. 30, 2026.*

Summary: This case involves one of the first federal appellate tests of local fossil fuel bans since *California Restaurant Association v. City of Berkeley,* which NLC filed an *amicus* brief supporting the City of Berkeley. In 2021, New York City passed Local Law 154, which prohibits fossil fuel combustion in most new buildings. Specifically, the law states that, "[n]o person shall permit the combustion of any substance that emits 25 kilograms or more of carbon dioxide per million British thermal units of energy, as determined by the United States energy information administration, within such building." The plaintiffs, who represent trade associations and a union, first brought suit in the federal District Court for the Southern District of New York, where Judge Ronnie Abrams ultimately dismissed the lawsuit with prejudice. They've since appealed the decision to the Court of Appeals for the Second Circuit.

Background: Similar to other challenges against local 'natural gas bans,' at the district court the plaintiffs argued that the federal Energy Policy and Conservation Act (EPCA) preempted Local Law 154. On appeal, they do the same. EPCA sets federal energy-efficiency standards for certain appliances, such as refrigerators, furnaces, ranges, and ovens. The Act includes a provision that preempts state and local governments from setting standards "concerning the energy efficiency, energy use, or water use of" products regulated by EPCA. Plaintiffs' primary argument is that EPCA preempts Local Law 154 because the ordinance indirectly regulates

[1] Texas filed a petition for review separately on April 29, 2024.

energy use through a prohibition on fossil fuel equipment, which means that the energy use of any fossil fuel equipment will be zero. Plaintiffs rely heavily on the Ninth Circuit's *Berkeley* decision, which held that Berkeley, California's ordinance prohibiting natural gas piping in new construction was preempted by EPCA because it concerned energy use by reducing energy use to zero for the appliances effectively prohibited by the ban. Plaintiffs use a variety of techniques to support their preemption argument, including a plain text analysis, a "structure, purpose, and history" analysis, and appeals to public policy. EPCA includes an exception provision, which the Plaintiffs argue Local Law 154 does not qualify for.

The city, by contrast, moved to dismiss the complaint at the district court, arguing that EPCA's preemption clause does not reach Local Law 154. The city argued that EPCA creates a nationwide regulatory framework to reduce the energy consumption of certain appliances, and that its narrow preemption provision does not reach Local Law 154 because the law does not regulate appliance energy consumption. It does not "reference energy conservation standards nor are energy conservation standards essential to the operation of Local Law 154." While this may prevent the use of some appliances, that outcome flows from emissions limits, not energy use regulation. In support, the city argued that the Plaintiffs (and the Ninth Circuit) misinterpret EPCA's preemption provision, including the terms "point of use" as used within the definition of "energy use" and the term "energy use" itself. Specifically, as one example, the city disputed that "point of use" refers to the place where something is used, arguing instead that it carries a specialized industry definition that refers to a covered product's energy use without adjusting for certain losses of energy, and fits into the broader definition of "energy use," which refers to a covered product's characteristics as manufactured. At the district court, Judge Abrams adopted the city's reasoning in dismissing the case.

Local government argument: The local government brief will add important context to the city's arguments in at least three ways: (1) explaining that New York State law delegates broad authority to local governments to protect residents' health, safety, and welfare, and that Local Law 154 is a proper exercise of that police power; (2) demonstrating that EPCA's history and scope confirm that its narrow preemptive reach cannot reach Local Law 154; and (3) urging the court to apply federalism principles when interpreting EPCA, emphasizing that extending EPCA preemption to prohibit Local Law 154 would mark a significant and unwarranted intrusion into local governance.

7. Climate United Fund v. Citibank – DC Circuit – Greenhous Gas Reduction Fund

NEW: *NLC filed an amicus brief in this case on Feb. 9, 2026. Oral arguments were held on Feb. 24, 2026.*

Facts: On March 11, 2025, the U.S. Environmental Protection Agency (EPA) sent awardees under the Inflation Reduction Act's National Clean Investment Fund (NCIF) and Clean Communities Investment Accelerator (CCIA) programs a Notice of Termination, purporting to terminate all NCIF and CCIA grants because of alleged "substantial concerns regarding program integrity, the award process, programmatic fraud, waste, and abuse, and misalignment with the Agency's priorities."

Litigation Background: *Climate United Fund v. Citibank*, filed on March 8, 2025, is a consolidated lawsuit brought by all NCIF and CCIA awardees, plus some sub-awardees, to challenge the grant terminations as unlawful under the Administrative Procedure Act (APA), federal regulation, and the Constitution. On April 15, 2025, the D.C. District Court issued a preliminary injunction barring EPA and Citibank from giving effect to the termination notices

and requiring Citibank to disburse grant funds. On April 16, 2025, EPA and Citibank appealed the preliminary injunction to the D.C. Circuit Court of Appeals. The Court of Appeals immediately took the temporary measure of partially staying the preliminary injunction as to its requirement that Citibank continue to disburse funds.

On September 2, the D.C. Circuit Court of Appeals issued a full decision and set aside the preliminary injunction. The court found that the district court abused its discretion in issuing it because (1) the court lacks jurisdiction over the APA and regulatory claims, which are actually contract claims that belong in the Court of Federal Claims; and (2) the plaintiffs are not likely to succeed on the merits of their constitutional claim. Thereafter, the plaintiffs filed a petition for a rehearing *en banc*. In granting the petition, the court fully vacated its September 2nd decision, leaving only the April 16th partial administrative stay in effect.

Impact to Local Government: While local governments are not plaintiffs in this case (eight big "green banks" were the awardees, and they are the plaintiffs), it is possible that some local governments would have taken advantage of the awardees' financing. The biggest impact to cities, however, would have been financing for private clean energy, clean vehicle, and green retrofit programs at the local scale within communities. The amicus brief here, generally speaking, would highlight how the Greenhouse Gas Reduction Fund (GGRF) program termination harms local governments by causing less of that local climate and clean energy work to happen, hampering cities' climate, clean energy, and equity objectives.

8. ***American Public Health Association v. EPA – DC Circuit – Endangerment Finding***

NEW: *NLC will file an amicus brief in this case. The briefing schedule has not yet been set.*

Background: On February 12, 2026, the U.S. Environmental Protection Agency (EPA) finalized a rulemaking that rescinds the agency's 2009 Greenhouse Gas Endangerment Finding and repeals the greenhouse gas emissions (GHG) standards for all motor vehicle types. The endangerment finding was issued under Section 202(a)(1) of the Clean Air Act, which requires EPA to regulate emissions from new motor vehicles that "cause, or contribute to," dangerous air pollution. In 2009, EPA concluded that GHG pollution endangers human health and requires federal regulation, providing the scientific and legal basis for regulating GHG emissions both from motor vehicle tailpipe emissions *and* other sources, like powerplants. Instead of relying on a scientific basis for rescinding the finding, EPA now argues that the agency lacks statutory authority to regulate GHG emissions from new motor vehicles. EPA contends that GHG emissions from vehicles do not contribute to "air pollution," that any regulation of those emissions would not "materially affect" global climate change, that regulation of GHG emissions is a "major question" requiring clearer Congressional approval, and that regulating GHG emissions is "costly and futile." If EPA lacks the authority to regulate GHG emissions from motor vehicles as it now suggests, its legal basis for regulating other sources of emissions vanishes as well.

Litigation Summary: On February 18, 2026, a group of nonprofit petitioners, including the American Public Health Association, Earthjustice, Environmental Defense Fund, Sierra Club, and Union of Concerned Scientists, filed a petition for review in the United States Court of Appeals for the D.C. Circuit. The group petitioned the Court to review a final agency action taken by EPA and its Administrator Lee Zeldin, *Rescission of the Greenhouse Gas Endangerment Finding and Motor Vehicle Greenhouse Gas Emission Standards Under the Clean Air Act*. It is likely that other parties, including a coalition of State Attorneys General and several cities, will file petitions for review. It is very likely that the D.C. Circuit will consolidate

those petitions challenging EPA's action. A briefing schedule will be set over the next several months, and that schedule may include briefing on motions for a preliminary injunction prior to briefing the merits of the petition.

Amicus Stance: Petitioners will likely argue that the Court should vacate EPA's rulemaking as violative of the Administrative Procedure Act. The local government amicus brief would support the petitioners by providing the local government perspective with respect to EPA's rescission of the endangerment finding. We expect that support will include describing the harms that local governments have already and will continue to experience from GHG emissions from vehicles and other sources, and that the brief will address the climate mitigation and adaptation actions that local governments have taken in partnership with the federal government prior to this recission.

9. Suncor Energy Inc. v. County Commissioners of Boulder County – U.S Supreme Court

NEW: *NLC will file an amicus brief in this case via the Local Government Legal Center. The briefing schedule has not yet been set.*

Facts: This case is one of more than three dozen litigations instituted by state and local governments seeking to hold the fossil fuel industry accountable for the deleterious effects of greenhouse gas emissions and resulting injuries to persons and property. Here, the City of Boulder and Boulder County (Boulder) brought state law claims against Suncor and ExxonMobil for public nuisance, private nuisance, trespass, unjust enrichment, and civil conspiracy, seeking damages for "the substantial role that their production, promotion, refining, marketing and sale of fossil fuels played and continues to play in causing, contributing to and exacerbating alteration of the climate, thus damaging Plaintiffs' property, and the health, safety and welfare of their residents."

Boulder alleges that it has incurred and will continue to incur millions of dollars in costs to protect its property and residents from the impacts of climate change, and that these costs should be shared by defendants "because they knowingly caused and contributed to the alteration of the climate by producing, promoting, refining, marketing and selling fossil fuels at levels that have caused and continue to cause climate change, while concealing and/or misrepresenting the dangers associated with fossil fuels' intended use." These expenses include costs associated with wildfire response, management, and mitigation; repair and replacement of existing flood control and drainage measures and to repair flood damage; managing and responding to increased drought conditions; and repairing physical damage to Boulder's buildings. Boulder does not seek to enjoin oil and gas operations or sales in Colorado or elsewhere, nor does it seek to enforce emissions controls.

Litigation Summary: The defendants first sought to remove the case to federal court, an effort that was ultimately rejected by the Tenth Circuit. Remanded to state court, they moved to dismiss on the grounds that Boulder's claims were preempted--first, via federal common law, and second, under the terms of the Clean Air Act (CAA). The Colorado Supreme Court affirmed the lower court's holdings in favor of Boulder:

Federal Common Law: Although there has been no generalized federal common law since 1938 (per the Supreme Court's determination in *Erie R.R. v. Tompkins*), the Court originally recognized narrower, more specialized areas of federal common law such as "suits brought by one State to abate pollution emanating from another State." But while that exception initially

covered air pollution and water pollution, both of those have now been superseded by express statutory provisions—relevant here, "since AEP [American Electric Power Co. v. Connecticut, 564 U.S. 410 (2011)] was decided, courts have consistently reaffirmed its holding that the CAA displaced the federal common law of nuisance." (citing, among other decisions, another climate case where NLC has filed as an amicus: *Mayor & City Council of Baltimore v. BP P.L.C*.

Clean Air Act: The *Boulder* defendants sought preemption based on a federal statute. The Colorado Supreme Court found none: Express preemption was not implicated because the CAA contains no provision expressly preempting state common law tort claims. Similarly, field preemption was inapplicable because "even if Boulder's claims could be construed as seeking to regulate emissions, which, as we explain below, they do not, Congress has not completely occupied the field of emissions regulation. To the contrary, under the CAA, states retain regulatory authority to implement, maintain, and enforce CAA emissions standards through state implementation plans." Lastly, Boulder's claims were not barred under conflict preemption principles—the defendants did not cite any facts "to indicate that it is impossible to comply with both the CAA and state tort law, that state tort law penalizes what the CAA requires, or that state tort law directly conflicts with the CAA." And there was nothing in Boulder's claims for damages that would undermine the CAA's legislative declaration that one of the statute's principal purposes is "to protect and enhance the quality of this country's air resources in order to promote the public health and welfare, as well as the productive capacity of our population."

Questions Presented: The Supreme Court's cert grant was instigated in part by a circuit split on the issue of CAA preemption over state tort law claims, pitting *City & Cnty. of Honolulu v. Sunoco LP* (no preemption) against *City of New York v. Chevron Corp*., (claims like those this case are preempted). The Court presents the following issues:

> (1) Whether federal law precludes state-law claims seeking relief for injuries allegedly caused by the effects of interstate and international greenhouse-gas emissions on the global climate; and
> (2) Whether this court has statutory and Article III jurisdiction to hear this case.

Impacts to Local Governments: This case, which some observers predict will effectively end all state court climate change litigation against the oil companies if Suncor and ExxonMobil are successful, merits amicus participation on behalf of Boulder, on several fronts. First, principles of local autonomy and staving off unwarranted preemption are both central to NLC's mission. In this case, the companies' positions would undermine local government's ability to choose if and how they want to hold corporate wrongdoers accountable for damages local governments face as a result of climate change. Second, as with the other climate cases we've filed in, the costs to local government of responding to the negative effects of fossil fuels are immense and should be borne at least in part by an industry that has repeatedly understated or obscured the harms caused by their products where local governments seek to hold them accountable. Third, we should continue to seek resolution in state courts and resist defendants' reflexive arguments that federal law preempts a state or local law. NLC has participated in all lower court cases in this case.

LEGISLATIVE FRAMEWORK

Federal Land Conveyances for Affordable Housing

A Framework for Streamlined Congressional Authorization

February 2026

Housing Affordability | Federal Land Management

CITY OF SANTA CLARA

Executive Summary

Context: Western municipalities face development constraints due to federal land ownership patterns while Congress lacks standardized statutory authority for evaluating municipal federal land conveyances that protect outdoor recreation and conservation values.

Problem: Housing affordability crisis in the Intermountain West has seen average home prices skyrocket while wages remain stagnant, compounded by current case-by-case conveyance approaches that require developing comprehensive legislation for each proposal.

Framework: A two-step process would first establish comprehensive statutory authorization defining eligibility standards, affordability safeguards, and permanent stakeholder protections, then enable streamlined implementing legislation approved by Congress for specific conveyances that meet established statutory criteria.

Legislative Consideration: Congressional consideration of statutory authorization framework establishing permanent standards, affordability protections, and eligibility limitations, followed by streamlined implementing bills approved through standard congressional procedures.

Key Points

1. Step One would establish statutory authority with permanent protections, affordability requirements, and eligibility safeguards negotiated through comprehensive stakeholder consultation.
2. Step Two would enable streamlined implementing bills approved by Congress while preserving committee authority to impose parcel-specific terms, conditions, and protections.
3. This approach improves congressional efficiency while maintaining full congressional oversight, protecting stakeholders, and ensuring conveyed lands address verified housing affordability needs.

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1. Problem Statement

The Intermountain West faces a severe housing affordability crisis as average home prices have skyrocketed while wages remain largely stagnant. Communities throughout Utah, Colorado, Idaho, and neighboring states have experienced dramatic increases in housing costs that have priced out essential workers including teachers, public safety employees, healthcare workers, and municipal staff from the communities they serve.

This housing shortage is compounded by federal land ownership patterns that constrain municipal expansion options. Western municipalities often find themselves substantially built out while surrounded by unappropriated federal lands that could serve legitimate community housing needs without conflicting with conservation or recreation purposes.

Congress currently addresses federal land conveyances through individual comprehensive legislation requiring detailed statutory frameworks for each proposal. Recent examples like **H.R. 5478 (119th Congress)**, the Fruit Heights Land Conveyance Act, demonstrate the complexity of current approaches - each bill must establish definitions, survey requirements, terms and conditions, use restrictions, and reversionary provisions from scratch, requiring 4-6 pages of detailed statutory language for what could be simple conveyance requests.

This approach prevents timely responses to housing crises while generating repeated policy debates over basic frameworks rather than focusing on specific community needs and site-appropriate circumstances.

2. Background and Current Framework

Federal land conveyances currently operate through **individual comprehensive congressional legislation** without overarching statutory authority establishing standards, procedures, or stakeholder protections. Each conveyance requires legislators to develop complete statutory frameworks including survey procedures, terms and conditions, use restrictions, and oversight mechanisms.

The **Fruit Heights Land Conveyance Act** illustrates current complexity - conveying 295 acres to a Utah municipality requires detailed statutory provisions for definitions, mapping requirements, survey procedures, administrative cost allocation, terms and conditions, use restrictions, and reversionary mechanisms. This comprehensive approach must be replicated for each conveyance proposal despite addressing similar municipal development needs.

This contrasts with established congressional frameworks like the **Congressional Budget Act**, which provides statutory authority and procedures while annual appropriations bills implement specific funding decisions through streamlined legislative language. Similarly, the **Wilderness Act** establishes designation standards while individual bills designate specific areas through brief, standardized formats.

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Western states experience unique housing constraints due to federal ownership patterns. Utah has 69% federal ownership, Colorado has 35%, and Idaho has 62%, significantly limiting municipal expansion options despite growing populations and escalating housing costs that consistently outpace regional wage growth.

Current conveyance approaches require each proposal to relitigate fundamental questions about stakeholder consultation, environmental review, recreational access preservation, and appropriate development standards rather than operating within established statutory frameworks that protect interests while enabling municipal responses to affordability crises.

3. Legislative Framework

This two-step framework would separate policy development from implementation, establishing comprehensive statutory authorization with permanent stakeholder protections, affordability safeguards, and eligibility limitations, while preserving full congressional authority and oversight for each conveyance through implementing legislation approved by Congress.

3.1 Step One: Authorization Framework Development

Congress would enact **comprehensive authorization legislation** establishing statutory authority for municipal land conveyances with permanent protections, affordability requirements, and eligibility safeguards developed through extensive stakeholder consultation. This legislation would define eligible land categories, municipal qualification standards, mandatory protections for recreational access, wildlife habitat, and tribal interests, plus standardized survey procedures, terms and conditions, and oversight mechanisms.

To ensure conveyed lands directly address housing affordability needs, authorization would require that conveyed lands be used primarily for residential development, with a minimum of **25 percent of housing units deed-restricted as affordable to households earning no more than 80 percent of area median income**. These affordability restrictions would be enforceable through recorded deed restrictions and compliance verification requirements. Municipalities that fail to meet statutory affordability requirements would be ineligible for additional conveyances for a period of no less than ten years.

Authorization would establish clear eligibility limitations to prevent speculative or large-scale transfers. Individual conveyances would be limited to **no more than 150 acres per implementing bill**, unless Congress determines otherwise through specific legislative action. Municipalities would be eligible to request additional conveyances only after demonstrating substantial development of previously conveyed lands consistent with statutory affordability requirements.

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The authorization would establish **uniform statutory provisions** that currently must be developed individually for each conveyance - including survey requirements, administrative cost allocation, quitclaim deed procedures, valid existing rights protections, affordability enforcement provisions, use restrictions, and reversionary mechanisms. These statutory protections would apply automatically while preserving Congress's authority to impose additional parcel-specific requirements.

Authorization would be developed with **consideration of input** from hunting and fishing organizations, environmental groups, tribal governments, municipal associations, and other stakeholders to help inform permanent statutory standards and protections. Incorporating these perspectives at the authorization stage promotes clarity, reduces uncertainty, and helps ensure consistent protections across all future conveyances.

3.2 Step Two: Streamlined Implementing Legislation

Following authorization enactment, municipalities would request conveyances by working with their **congressional representatives** to introduce streamlined implementing bills. Each conveyance would require explicit congressional approval through standard legislative procedures, ensuring Congress retains full authority and discretion over all federal land conveyances.

Implementing legislation would reference authorization framework standards while specifying mapping, acreage, and parcel-specific considerations. Congressional committees would retain full authority to include **parcel-specific terms, conditions, affordability protections, reversionary provisions, and development requirements** as determined appropriate.

This structure preserves congressional oversight, negotiation authority, and committee discretion while eliminating the need to develop complete statutory frameworks from scratch for each conveyance.

3.3 Statutory Standards and Automatic Protections

Authorization legislation would establish **uniform statutory provisions** that automatically apply to all qualifying conveyances - eliminating the need to develop mapping requirements, survey procedures, cost allocation mechanisms, deed terms, and affordability protections individually for each proposal.

Eligibility standards would clearly define municipal qualifications, eligible land categories, affordability requirements, acreage limitations, and sequential eligibility criteria to ensure conveyed lands directly support verified housing affordability needs.

Built-in safeguards would include enforceable affordability deed restrictions, development compliance requirements, acreage limitations, sequential eligibility controls, and reversionary mechanisms ensuring conveyed lands are used for their intended purpose.

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4. Expected Impacts

This streamlined approach would improve congressional efficiency while preserving full congressional oversight and authority over federal land conveyances.

Congressional committees would retain authority to review and approve each conveyance, impose parcel-specific protections, and ensure statutory eligibility and affordability requirements are satisfied.

Municipalities would gain predictable, responsible pathways to address housing affordability challenges while stakeholders would benefit from consistent statutory protections and enforceable affordability requirements.

5. Implementation Considerations

Authorization development would require comprehensive stakeholder consultation to establish permanent statutory protections, affordability safeguards, acreage limitations, and eligibility requirements ensuring conveyed lands serve verified housing needs.

Congressional committees would operate under standard legislative procedures reviewing streamlined implementing legislation, focusing on parcel-specific considerations while relying on established statutory protections.

Concurrent pilot implementation would demonstrate how authorization framework and streamlined implementing legislation operate together while preserving congressional authority, protecting stakeholders, and addressing municipal housing affordability challenges.

Recommendations

- **Stakeholder Authorization Process:** Conduct consultation to develop permanent statutory standards, affordability protections, and eligibility safeguards.
- **Streamlined Implementation Format:** Establish implementing legislation structure preserving congressional authority while improving efficiency.
- **Concurrent Pilot Implementation:** Introduce authorization alongside implementing legislation demonstrating statutory safeguards and affordability compliance.

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NATIONAL MUNICIPAL POLICY
ENERGY, ENVIRONMENT AND NATURAL RESOURCES

Sec. 2.09 Public Lands

Public lands are held and managed by the federal government for the benefit of the entire nation. Due to the economic, social, and environmental impacts of the use of these lands on cities, the federal government must engage locally elected officials and consider the needs of nearby communities and the public when developing management plans for public land.

The federal government should offer the right of first-refusal, at no more than fair market value, to state and local governments to preserve land for public purposes. When considering the sale of public lands, the local impacts of those sales must be considered. In the rare instances that it is deemed necessary to sell parcels of public land, the income derived from those sales should be held in a trust for the benefit or improvement of other public lands, or the funds must be directed to an otherwise appropriate and related use. In no instance should public lands be sold for the purpose of reaping short-term financial gains.

When trading, purchasing, or selling public land, the federal government must ensure that land valuations are established without interference from buyer or seller and must use fair market value to determine price.

Op-ed: It's Time to Build an Economy that Works for Everyone

By: U.S. Representative Kathy Castor (D-FL-14)
[Congresswoman Castor will speak at CCC on Monday, March 16 in the Afternoon General Session]

September 25, 2025, Tampa Bay Times

Families and business owners across America deserve the opportunity to grow and thrive. Yet, I keep hearing the same concern: Rising energy costs are squeezing budgets and forcing impossible choices. In Tampa just this summer, residents saw a $50 jump in their monthly electric bill due to rising temperatures and other extreme weather. They're not alone. According to recent data, three in four Americans are concerned about utility bills rising this year, with most saying they feel powerless to do anything about it.

The facts back up the concerns. Across the country, families are watching their electricity bills rise and wondering how they can skimp on groceries and other necessities to scrape by. Small manufacturers are struggling to stay competitive as energy costs eat into their margins. Farmers watch as economic tools that would have allowed them to keep operations in their family are ripped out of their hands.

On top of all this, new federal policies are pulling us in the wrong direction. Just look at North Carolina, where the administration has ripped away federal funds from organizations that would have lowered household bills through low-cost solar. Earlier this month, uncertainty and misguided federal policies on clean energy led to the abrupt termination of a $1.4 billion investment to manufacture next-generation batteries in a rural community — stripping away more than 1,000good-paying jobs. Along the East Coast, interference and cancellations of clean energy projects have cost jobs and hurt efforts to keep electricity affordable.

Right here in the Sunshine State, I see proof that clean energy is key to our next economic boom. Clean investments made possible by expiring federal tax credits have attracted more than $12 billion in investment, leading to more than 12,000 new jobs. Despite headwinds, over 90% of capacity added to our nation's grid in the past year has been clean energy that can help families save money, create jobs and meet growing demand. This is proof that when we invest in clean, reliable energy infrastructure, we create economic opportunity.

The Thriving Economy Project will focus on four key areas where we can make real progress: helping communities and rural economies flourish, securing America's affordable energy future, developing innovative financing solutions and building government systems that actually deliver results for the American people. This isn't about imposing solutions from the top down. It's about finding what's already working in communities across America — and finding ways to scale it.

As someone who has spent her career working to solve problems —from my early days as an environmental lawyer in Florida, to my work as chair of the U.S. House Committee on the Climate Crisis — I know that the best policies come from the ground up, not the top down. That's why this project will spend the next year listening to communities nationwide to see what's working and what's not.

We'll bring together farmers and manufacturers, small business owners and labor leaders, mayors and governors, CEOs and policy experts, researchers and community activists. We'll look at successful models from red states and blue states, rural areas and urban centers, because good ideas don't have a party label. The goal is to develop a practical roadmap that Congress, states and local communities can use to create more jobs, lower energy costs, foster American ingenuity and entrepreneurship, and build stronger, more resilient local economies.

This project is about building an economy where a small business owner in Tampa doesn't have to choose between paying her electric bill and giving her employees a raise, where a manufacturing worker in Michigan can be confident that his job will still exist in 10 years, where a farmer in Iowa can invest in new technology knowing it will pay off for his operations and his community.

American communities already are writing the playbook for 21st-century prosperity. With the Thriving Economy Project, our job is to make sure everyone has access to those tools and opportunities. The communities leading this charge have shown us what's possible.

Now it's time to make it inevitable.

Energy, Environment and Natural Resources (EENR)

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Vice Chair Abbie Kamin, Council Member, City of Houston, TX

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