

that Democrats like to grow and expand government. They like more government. They like more government control.

And this achieves that in a lot of ways. Obviously, it makes people more dependent upon government, and particularly if—when it comes to, you know, what you choose to drive, pushes people more into electric vehicles. And it is government, again, picking winners and losers. But I would also suggest that one of the other provisions in the bill locks in policies that socialist countries have adopted, places in Western Europe, that fix drug prices. That is not something we have done in this country.

And everybody around here says: Well, Europe does it, why can't we do it? Well, as I recall, we left Europe for that reason. We wanted less government control. We wanted more personal freedom, coupled with individual responsibility. That was part, I think, of the defining principle of this country.

So now we are going to adopt the price-fixing policies that have been adopted in places in Europe in an attempt to try and get drug costs down at the same time we are going to be sacrificing the innovation, the investment, and the ingenuity that has resulted in so many of the great cures that we have seen in this country, and as recently as a couple years ago with COVID, which was a record time in terms of getting a vaccine out there into circulation that was actually effective in trying to keep people from getting terribly sick with that disease.

So what this, as far as I can tell, does, is it sort of socializes medicine, at least to the extent that it pertains to the pharmaceutical business. It has government fixing prices. It has us adopting the European model when it comes to drugs. It has us taxing energy production here in the United States and investing in all kinds of different green energy things.

By the way, \$60 billion—\$60 billion—in this proposal for “environmental justice,” defined, evidently, as grants to communities who are having a hard time keeping up with environmental standards in their communities, which, again, all of us—and I would argue, in my experience here, I have been one of the most forward-leaning people when it comes to renewable energy, you know, coming up with new sources of energy that, obviously, not only are good for our economy, but benefit our environment as well—but \$60 billion for environmental justice, nothing for funding the police or law enforcement to keep our communities safe, which is a huge, huge crisis in this country.

So I would just argue that if ever there was a time when priorities are misplaced, this would have to be it. I just can't think of a way in which anything that is being talked about here does anything to address the fundamental economic hardship that is being experienced by tens of millions of

Americans; and that is, when they go to the gas station to fill up their tank with gas, or a farmer who needs diesel, which has literally doubled in cost, in price, since the President took office, or going to the grocery store, where all these inflation and energy costs and everything else get passed on—everything has gone up.

Groceries in this country, on average, up 12 percent, utility gas up 38 percent, gasoline up 60 percent. And that is just year over year. If you go since the time the President took office, the price of gasoline has almost doubled. It is 90 percent higher now than it was when the President took office.

And so you have got all this economic bad data and hardship and—you know, the American people are experiencing, and so just kind of out of nowhere, really—I mean, there has been some discussion about this, as we all know, over the past year or so, but everybody, I think, kind of concluded when we got the inflation numbers last month at 9.1 percent, a 40-year high, that: Let's cool it down a little bit. Let's cool our jets here, and let's just see what is going to happen with the economy before we do anything rash.

Well, you can't say that \$1 trillion in spending and taxes isn't pretty rash, especially when you try and drive it through on a party line vote, the same way that the \$2 trillion in spending was done last year, where you had, again, all these warnings, and not just Republicans. I was saying this, but I am not unique. There were lots of Democrat economists who were suggesting at the time that that kind of spending would do nothing but overheat the economy, overstimulate the economy, and you get too many dollars chasing too few goods and leading to inflationary impacts, which is ultimately what happened.

So here we are, with 9 percent inflation, two quarters now of negative economic growth, negative GDP, and Democrats saying: OK. Let's raise taxes and let's raise taxes a bunch, at a time when revenues to GDP are at their highest level since the year 2000, and when we have had two successive years now, year over year, of revenue growth, 18 percent and 20 percent.

Surely—surely—the problem here can't be not enough revenue. The issue, I think, is—and it comes back to my fundamental point in the first place. You want to grow government, you want to expand government, you want to have \$60 billion—\$60 billion—going to environmental justice and zero going to funding the police or addressing the issues of law enforcement, crime in our communities around this country, or maybe putting some money toward the border, addressing another out-of-control problem that I can see—you can point back directly to policy decisions made by this administration and the ultimate consequence and result that we have seen, the outcome that we have seen.

But this is going to be done on a party line basis. This is going to be

done with Democrat-only votes and, again, sort of came out of nowhere.

So I say: Say it ain't so, Joe. I wish I had a better story here, but the fact of the matter is, this will be done with zero consultation with Republicans, and what it appears like very little, if any, consultation with Democrats. Sounds like it was a deal that was cut by basically two people, and it is going to be shoved through on a party line vote, 51 votes here in the U.S. Senate at a time when we have got historic issues related to our economy which are impacting American families in a very direct and real way, starting with the fact that they are now putting more of their purchases on their credit cards, they are dipping into retirement savings to be able to keep up with just the daily cost of living.

We have already put—I say “we,” not we, but if you think about it, in some ways, the policies that went through here last year, the 1.9 trillion-dollar, party line spending bill, led to a lot of this inflation.

So the American people right now, average family, according to the Joint Economic Committee, which is a bipartisan committee here in the Senate, says that it is costing the average family in this country \$9,000 more this year than it did last year for the same basic necessities, for the same basket of goods. So they have already seen a \$9,000 tax, and now they are being told that there is going to be a big tax increase. Oh, yes, it is going to hit corporations, but don't think for a minute that those costs don't get passed on in the form of higher costs to consumers and lower wages to employees, because these things don't happen in a vacuum. There are decisions, and there are effects that happen as a result of those decisions.

I hope my Democrat colleagues will think better of this. I can't think, honestly, of a time where there hasn't been a worse prescription for what ails our economy and ails our country than what is being proposed here in the form of more taxes, more spending, more government control, and more pain and economic hardship for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### RECYCLING AND COMPOSTING ACCOUNTABILITY ACT

Mr. CARPER. Mr. President, I rise, along with Senator CAPITO, today to say a few words on behalf of S. 3742, Recycling Infrastructure and Accessibility Act of 2022, and S. 3743, the Recycling Composting Accountability Act.

Senator CAPITO and I have the pleasure of leading the Senate Environment and Public Works Committee. With the legislation that we are about to discuss here, along with Senator BOOZMAN—Senator BOOZMAN is on his way. We are all a part of the Recycling Caucus in the U.S. Senate. We work with our

staffs and others outside of this body in order to make possible this legislation, to debate it, to report it. And if I am not mistaken, Senator CAPITO reported it unanimously out of our committee, as we do with so much legislation.

These bills were introduced by Senator CAPITO and myself and Senator BOOZMAN. As an avid recycler and composter, for a long time I have long believed in environmental stewardship. After all, we have a moral duty to leave behind a cleaner, healthier planet for our children.

Senator CAPITO and I are both born in West Virginia. My sister and I grew up along Beaver Creek, right outside of Beckley. My dad used to take me and my grandfather fishing and hunting, even at a young age, along the New River and other parts of Raleigh County. One of the things that my dad and my grandfather always made clear to me was that if we are out in a boat and there was trash or something in the water or there was something that could be recycled, to pull it out of the water and to put it in something we were carrying and take it home. The idea was to try to leave our State—West Virginia then—better, better than we found it. So from a very early age in West Virginia, I really had those values instilled in me. And they still are. We instilled them in our sons too.

But we have a moral obligation to leave behind a cleaner, healthier planet for our children. There are many ways to meet that moral obligation. One of those is to make sure that the products that can be recycled, we recycle them. We don't have to landfill them. We can actually address the climate change in a very positive way but especially with respect to aluminum cans and things like that that we recycle.

I wish I could stand here today to say our recycling rate in Delaware is 100 percent, West Virginia is 100 percent, or the country is 100 percent; it is not. The recycling rate in our country is something like 35 percent. It is like getting a grade in school. If you get a 35 on a paper or test, that is a failing grade. With respect to recycling, unfortunately, we are racking up failing grades year after year after year, and we ought to do something about it. As it turns out, we can. Part of that doing something about it is the legislation before us today.

We have to do more when it comes to improving our Nation's recycling and our composting efforts. These bills would take action to address several of the challenges facing America's recycling efforts.

One of the challenges that we face is the availability of good data. That might sound strange, but it is true. This past November, for example, the Environmental Protection Agency, though, released its first-ever National Recycling Strategy. Now, that is kind of late to the game, but it is better to be late to the game than not to be there at all. It turns out it is a good document. It is a document that re-

flects input that we provided, our staffs provided, others on our committee, and across the country provided. And to the EPA's credit, they accepted that input, and they actually did something with it. So it is reflected in the National Recycling Strategy that was promulgated.

The document offers a transformative vision for shrinking our Nation's waste management efforts, and it also highlights the need for greater standardization around data collection.

To address this, Senator BOOZMAN and I developed the Recycling and Composting Accountability Act. Senator BOOZMAN, myself, Senator CAPITO, and others are part of the Recycling Caucus here in the Senate, a bipartisan group that focuses on how do we promote and encourage recycling, not just on Capitol Hill, not just in the District of Columbia, not just on the east coast, not just in West Virginia but across the country from coast to coast.

Our legislation, the Recycling and Composting Accountability Act, would improve EPA's ability to gather data on our Nation's recycling systems and explore opportunities for implementing a national composting strategy.

Another area where we can improve is by increasing access to recycling. Many Americans in disadvantaged communities want to recycle, they want to compost, but they are unable to do so. That is because they live in neighborhoods that lack curbside pickup, bottle return, and other necessary recycling infrastructure.

Senator CAPITO's Recycling Infrastructure and Accessibility Act would help address this by creating a pilot program at EPA to improve recycling services in underserved areas. This legislation would bring many communities into the recycling world, including those in urban and suburban areas, while also protecting our environment.

I commend Senator CAPITO for her work and her leadership on this bill. I want to commend her staff and my staff, led by Mary Frances Repko, who is our staff director, and Adam on the other side of the aisle. Members don't do this by themselves, as we know, and we are really blessed with terrific staff who help us put these provisions together.

I commend Senator CAPITO heartily for her work and her leadership on this legislation, her support of the legislation Senator BOOZMAN and I have offered.

I want to work with her to make sure that this bill helps jump-start recycling in communities with the greatest need, especially those who have been historically left behind, and there are too many of those.

Both of these bills that we will have an opportunity to consider here today are the result of a true collaboration and reflect a substantial amount of bipartisan efforts dedicated to explore our Nation's recycling and composting challenges.

I know a lot of people, if you watch the news, whether it is the television

or on the radio, newspapers, you read online, they think all we do here is fight with one another; that we never find anything like common ground on important issues like the one we are talking about right now. The committee that Senator CAPITO and I are privileged to lead actually reports out important legislation, including bipartisan infrastructure legislation, all kinds of issues that enjoy bipartisan support, unanimous bipartisan support.

S. 3743

Mr. CARPER. So with that, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 358, S. 3743.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3743) to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Recycling and Composting Accountability Act".*

#### SEC. 2. DEFINITIONS.

(a) *IN GENERAL.*—In this Act:

(1) *ADMINISTRATOR.*—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) *CIRCULAR MARKET.*—The term "circular market" means a market that utilizes industrial processes and economic activities to enable post-industrial and post-consumer materials used in those processes and activities to maintain their highest values for as long as possible.

(3) *COMPOST.*—The term "compost" means a product that—

(A) is manufactured through the controlled aerobic, biological decomposition of biodegradable materials;

(B) has been subjected to medium and high temperature organisms, which—

(i) significantly reduce the viability of pathogens and weed seeds; and

(ii) stabilize carbon in the product such that the product is beneficial to plant growth; and

(C) is typically used as a soil amendment, but may also contribute plant nutrients.

(4) *COMPOSTABLE MATERIAL.*—The term "compostable material" means material that is a feedstock for creating compost, including—

(A) wood;

(B) agricultural crops;

(C) paper;

(D) certified compostable products associated with organic waste;

(E) other organic plant material;

(F) marine products;

(G) organic waste, including food waste and yard waste; and

(H) such other material that is composed of biomass that can be continually replenished or renewed, as determined by the Administrator.

(5) *COMPOSTING FACILITY.*—The term "composting facility" means a location, structure, or device that transforms compostable materials into compost.

(6) *INDIAN TRIBE.*—The term "Indian Tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

## (7) MATERIALS RECOVERY FACILITY.—

(A) IN GENERAL.—The term “materials recovery facility” means a dedicated facility where primarily residential recyclable materials, which are diverted from disposal by the generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(B) EXCLUSION.—The term “materials recovery facility” does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(8) RECYCLABLE MATERIAL.—The term “recyclable material” means a material that is obsolete, previously used, off-specification, surplus, or incidentally produced for processing into a specification-grade commodity for which a circular market currently exists or is being developed.

(9) RECYCLING.—The term “recycling” means the series of activities—

(A) during which recyclable materials are processed into specification-grade commodities, and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacturing of new products;

(B) that may include sorting, collection, processing, and brokering; and

(C) that result in subsequent consumption by a materials manufacturer, including for the manufacturing of new products.

(10) STATE.—The term “State” has the meaning given the term in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) DEFINITION OF PROCESSING.—In paragraphs (7), (8), and (9) of subsection (a), the term “processing” means any mechanical, manual, or other method that—

(1) transforms a recyclable material into a specification-grade commodity; and

(2) may occur in multiple steps, with different steps, including sorting, occurring at different locations.

**SEC. 3. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) recycling and composting conserve resources, protect the environment, and are important to the United States economy;

(2) the United States recycling and composting infrastructure encompass each of the entities that collect, process, broker, and consume recyclable materials and compostable materials sourced from commercial, industrial, institutional, and residential sources;

(3) the residential segment of the United States recycling and composting infrastructure is facing challenges from—

(A) confusion over what materials are recyclable materials or compostable materials;

(B) reduced export markets;

(C) growing, but still limited, domestic end markets; and

(D) an ever-changing and heterogeneous supply stream;

(4) in some areas, recycling and composting infrastructure is in need of revitalization; and

(5) in an effort to address those challenges, the United States must use a combination of tactics to improve recycling and composting in the United States.

**SEC. 4. REPORT ON COMPOSTING INFRASTRUCTURE CAPABILITIES.**

The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(1) prepare a report describing the capability of the United States to implement a national composting strategy for compostable materials for the purposes of reducing contamination rates for recycling, including—

(A) an evaluation of existing Federal, State, and local laws that may present barriers to implementation of a national composting strategy;

(B)(i) an evaluation of existing composting programs of States, units of local government, and Indian Tribes; and

(ii) a description of best practices based on those programs;

(C) an evaluation of existing composting infrastructure in States, units of local government, and Indian Tribes for the purposes of estimating cost and approximate land needed to expand composting programs; and

(D) a study of the practices of manufacturers and companies that are moving to using compostable packaging and food service ware for the purpose of making the composting process the end-of-life use of those products; and

(2) not later than 1 year after the date of enactment of this Act, submit the report prepared under paragraph (1) to Congress.

**SEC. 5. REPORT ON FEDERAL AGENCY RECYCLING PRACTICES.**

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Comptroller General of the United States, in consultation with the Administrator, shall make publicly available a report describing—

(1) the total annual recycling and composting rates reported by all Federal agencies;

(2) the total annual percentage of products containing recyclable material, compostable material, or recovered materials purchased by all Federal agencies, including—

(A) the total quantity of procured products containing recyclable material or recovered materials listed in the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the total quantity of compostable material purchased;

(3) recommendations for updating—

(A) the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the environmentally preferable purchasing program established under section 6604(b)(11) of the Pollution Prevention Act of 1990 (42 U.S.C. 13103(b)(11)); and

(4) the activities of each Federal agency that promote recycling or composting.

**SEC. 6. IMPROVING DATA AND REPORTING.**

(a) INVENTORY OF MATERIALS RECOVERY FACILITIES.—Not later than 1 year after the date of enactment of this Act, and biannually thereafter, the Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(1) prepare an inventory of public and private materials recovery facilities in the United States, including—

(A) the number of materials recovery facilities in each unit of local government in each State; and

(B) a description of the materials that each materials recovery facility can process, including—

(i) in the case of plastic, a description of—

(I) the types of accepted resin, if applicable; and

(II) the packaging or product format, such as a jug, a carton, or film;

(ii) food packaging and service ware, such as a bottle, cutlery, or a cup;

(iii) paper;

(iv) aluminum, such as an aluminum beverage can, food can, aerosol can, or foil;

(v) steel, such as a steel food or aerosol can;

(vi) other scrap metal;

(vii) glass; or

(viii) any other material not described in any of clauses (i) through (vii) that a materials recovery facility can process; and

(2) submit the inventory prepared under paragraph (1) to Congress.

(b) ESTABLISHMENT OF A COMPREHENSIVE BASELINE OF DATA FOR THE UNITED STATES RECYCLING SYSTEM.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall determine, with respect to the United States—

(1) the number of community curbside recycling and composting programs;

(2) the number of community drop-off recycling and composting programs;

(3) the types and forms of materials accepted by each community curbside recycling, drop-off recycling, or composting program;

(4) the number of individuals with access to recycling and composting services to at least the extent of access to disposal services;

(5) the number of individuals with barriers to accessing recycling and composting services to at least the extent of access to disposal services;

(6) the inbound contamination and capture rates of community curbside recycling, drop-off recycling, or composting programs;

(7) where applicable, other available recycling or composting programs within a community, including store drop-offs; and

(8) the average cost to States, units of local government, and Indian Tribes of recycling and composting programs.

(c) STANDARDIZATION OF RECYCLING REPORTING RATES.—

(1) COLLECTION OF RATES.—

(A) IN GENERAL.—The Administrator may use amounts made available under section 9 to biannually collect from each State the nationally standardized rate of recyclable materials in that State that have been successfully diverted from the waste stream and brought to a materials recovery facility or composting facility.

(B) CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.—Information collected under subparagraph (A) shall not include any confidential or proprietary business information, as determined by the Administrator.

(2) USE.—Using amounts made available under section 9, the Administrator may use the rates collected under paragraph (1) to further assist States, units of local government, and Indian Tribes—

(A) to reduce the overall waste produced by the States and units of local government; and

(B) to increase recycling and composting rates.

(d) REPORT ON END MARKETS.—

(1) IN GENERAL.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(A) provide an update to the report submitted under section 306 of the Save Our Seas 2.0 Act (Public Law 116–224; 134 Stat. 1096) to include an addendum on the end-market sale of all recyclable materials, in addition to recycled plastics as described in that section, from materials recovery facilities that process recyclable materials collected from households and publicly available recyclable materials drop-off centers, including—

(i) the total, in dollars per ton, domestic sales of bales of recyclable materials; and

(ii) the total, in dollars per ton, international sales of bales of recyclable materials;

(B) prepare a report on the end-market sale of compost from all compostable materials collected from households and publicly available compost drop-off centers, including the total, in dollars per ton, of domestic sales of compostable materials; and

(C) not later than 1 year after the date of enactment of this Act, submit to Congress the update to the report prepared under subparagraph (A) and the report prepared under subparagraph (B).

(2) CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.—Information collected under subparagraphs (A) and (B) of paragraph (1) shall not include any confidential or proprietary business information, as determined by the Administrator.

**SEC. 7. STUDY ON THE DIVERSION OF RECYCLABLE MATERIALS FROM A CIRCULAR MARKET.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop a metric for determining the proportion of recyclable materials in commercial and municipal waste streams that are being diverted from a circular market.

(b) *STUDY; REPORT.*—Not later than 1 year after the development of a metric under subsection (a), the Administrator shall conduct a study of, and submit to Congress a report on, the proportion of recyclable materials in commercial and municipal waste streams that, during each of the 10 calendar years preceding the year of submission of the report, were diverted from a circular market.

(c) *DATA.*—The report under subsection (b) shall provide data on specific recyclable materials, including aluminum, plastics, paper and paperboard, textiles, and glass, that were prevented from remaining in a circular market through disposal or elimination, and to what use those specific recyclable materials were lost.

(d) *EVALUATION.*—The report under subsection (b) shall include an evaluation of whether the establishment or improvement of recycling programs would—

- (1) improve recycling rates; or
- (2) reduce the quantity of recyclable materials being unutilized in a circular market.

#### SEC. 8. VOLUNTARY GUIDELINES.

The Administrator shall—

(1) in consultation with States, units of local government, and Indian Tribes, develop, based on the results of the studies, reports, inventory, and data determined under sections 4 through 7, and provide to States, units of local government, and Indian Tribes best practices that the States, units of local government, and Indian Tribes may use to enhance recycling and composting, including—

(A) labeling techniques for containers of waste, compostable materials, and recycling, with the goal of creating consistent, readily available, and understandable labeling across jurisdictions;

(B) pamphlets or other literature readily available to constituents;

(C) primary and secondary school educational resources on recycling;

(D) web and media-based campaigns; and

(E) guidance for the labeling of recyclable materials and compostable materials that minimizes contamination and diversion of those materials from waste streams toward recycling and composting systems; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report describing the best practices developed under paragraph (1).

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administrator such sums as are necessary to carry out this Act for each fiscal year.

Mr. CARPER. I ask unanimous consent that the committee-reported substitute amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 3743), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from West Virginia.

#### RECYCLING INFRASTRUCTURE AND ACCESSIBILITY ACT OF 2022

Mrs. CAPITO. Mr. President, I feel like the Senator from West Virginia right now.

I am very glad that we are going to be passing these two recycling bills.

I will just briefly say I am the cosponsor of the bipartisan Recycling and Infrastructure Accessibility Act. Sometimes the simplest things that we can do have such great impacts, and I think that is what we are going to see here today.

In rural America, we don't have the accessibility to recycling and the infrastructure that we need, and that is the point of my bill. It helps us, obviously, protect our environment, supports jobs, and it helps our municipalities and others be able to sustain these.

This is a pilot program that would give Federal support for recycling infrastructure projects, such as transfer stations and dropoff facilities. That is the difficulty; you can't have one in every small town. You need to have a spoke-and-hub sort of system, and that is what this is looking at.

I will speed it up here. I want to thank all the different organizations and groups that have helped: The National Water Resources Association, the Plastics Industry Association, the American Beverage Association, our associated staffs, and particularly the chair of the full committee. He has been just a champion here in working on the recycling bills. He is the main sponsor of the Recycling Composting Accountability Act, of which I am also a cosponsor.

These will fill great and important data gaps. These are recycling bills that were reported out by voice votes so we have unanimous consent by our committee. I am glad that our colleagues have agreed to pass them.

S. 3742

So I will move on and say, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 357, S. 3742.

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3742) to establish a pilot grant program to improve recycling accessibility, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. CAPITO. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 3742) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3742

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Recycling Infrastructure and Accessibility Act of 2022".

#### SEC. 2. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) CURBSIDE RECYCLING.—The term "curbside recycling" means the process by which residential recyclable materials are picked up curbside.

(3) ELIGIBLE ENTITY.—The term "eligible entity" means—

(A) a State (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903));

(B) a unit of local government;

(C) an Indian Tribe; and

(D) a public-private partnership.

(4) INDIAN TRIBE.—The term "Indian Tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) MATERIALS RECOVERY FACILITY.—

(A) IN GENERAL.—The term "materials recovery facility" means a recycling facility where primarily residential recyclables, which are diverted from disposal by a generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(B) EXCLUSION.—The term "materials recovery facility" does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(6) PILOT GRANT PROGRAM.—The term "pilot grant program" means the Recycling Infrastructure and Accessibility Program established under subsection (b).

(7) RECYCLABLE MATERIAL.—The term "recyclable material" means obsolete, previously used, off-specification, surplus, or incidentally produced material for processing into a specification-grade commodity for which a market exists.

(8) TRANSFER STATION.—The term "transfer station" means a facility that—

(A) receives and consolidates recyclable material from curbside recycling or drop-off facilities; and

(B) loads the recyclable material onto tractor trailers, railcars, or barges for transport to a distant materials recovery facility or another recycling-related facility.

(9) UNDERSERVED COMMUNITY.—The term "underserved community" means a community, including an unincorporated area, without access to full recycling services because—

(A) transportation, distance, or other reasons render utilization of available processing capacity at an existing materials recovery facility cost prohibitive; or

(B) the processing capacity of an existing materials recovery facility is insufficient to manage the volume of recyclable materials produced by that community.

(b) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall establish a pilot grant program, to be known as the "Recycling Infrastructure and Accessibility Program", to award grants, on a competitive basis, to eligible entities to improve recycling accessibility in a community or communities within the same geographic area.

(c) GOAL.—The goal of the pilot grant program is to fund eligible projects that will significantly improve accessibility to recycling systems through investments in infrastructure in underserved communities through the use of a hub-and-spoke model for recycling infrastructure development.

(d) APPLICATIONS.—To be eligible to receive a grant under the pilot grant program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.