

To the office of U.S. Representative James R. Baird

Re: HR 9663 (119th Congress), State Standing Committee Act • Latest action (2026-07-14): Referred to the House Committee on Science, Space, and Technology.
VFA SI Solution #175 • published 2026-07-17 • <https://www.valuesforamerica.com/solutions/175>
Office of record (Congress.gov): 2303 Rayburn House Office Building, Washington, DC • (202) 225-5037

Federal-State Environmental Advisory Committee Act

The measure, as described from the official record: To establish a federal-state committee to coordinate environmental protection efforts and share information, ensuring states have a voice in federal environmental policy.

THE PROPOSAL

This Act establishes a Federal-State Environmental Advisory Committee (the Committee) within the Environmental Protection Agency. The Committee shall consist of 15 members: 7 appointed by the President from federal agencies, 7 appointed by the President from state governments (one from each EPA region), and 1 chair appointed by the President. The Committee's sole purpose is to provide nonbinding recommendations to Congress and the EPA on environmental policy matters that involve federal-state coordination. The Committee may not issue regulations, impose mandates on states, or require states to adopt any policy. All Committee meetings shall be public, and recommendations shall be published annually. The Committee shall be funded through a specific appropriation from the general fund, not to exceed \$5 million per fiscal year. This Act shall sunset 5 years after enactment, unless reauthorized by Congress. The Government Accountability Office shall review the Committee's effectiveness and report to Congress every two years. If the Committee fails to submit an annual report for two consecutive years, it shall be dissolved automatically.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	General fund appropriation
Funding Amount	\$5 million per fiscal year
Sunset Years	5 years
Oversight Body	Government Accountability Office
Enforcement Mechanism	Annual reporting requirement; automatic dissolution if no report for two consecutive years
Effective Date	90 days after enactment

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 3 (Commerce Clause)
- Tenth Amendment
- Article I, Section 8, Clause 18 (Necessary and Proper Clause)

Concerns with the measure as written:

- Potential commandeering of state legislatures in violation of the Tenth Amendment if the committee imposes binding requirements on states.
- Delegation of legislative authority to states without clear standards, risking violation of the nondelegation doctrine.
- Exceeding Congress's enumerated powers under the Commerce Clause if applied to environmental matters that do not substantially affect interstate commerce.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Honors Democratic priorities: federal action on environmental protection, formal state input into federal policy, and public transparency. Honors Republican priorities: limited federal role, no mandates on states, advisory-only committee, sunset provision to prevent permanent bureaucracy, and strict funding cap.

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