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RPTS ZAMORA

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MARKUP OF:

H.R. 4572, TO REAUTHORIZE THE SATELLITE TELEVISION EXTENSION AND LOCALISM ACT OF 2010;

H.R. 4342, DOMAIN OPENNESS THROUGH CONTINUED OVERSIGHT MATTERS (DOTCOM) ACT OF 2014; AND

H.R. 3301, NORTH AMERICAN ENERGY INFRASTRUCTURE ACT

WEDNESDAY, MAY 7, 2014

House of Representatives,

Committee on Energy and Commerce,

Washington, D.C.

The committee met, pursuant to call, at 4:00 p.m., in Room 2124, Rayburn House Office Building, Hon. Greg Walden presiding.

Present: Representatives Upton, Barton, Shimkus, Walden, Scalise, Latta, Olson, McKinley, Bilirakis, Waxman, Pallone, Engel, Green, and Schakowsky.

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Staff Present: Nick Abraham, Legislative Clerk; Gary Andres, Staff Director; Charlotte Baker, Deputy Communications Director; Ray Baum, Senior Policy Advisor/Director of Coalitions; Mike Bloomquist, General Counsel; Matt Bravo, Professional Staff Member; Noelle Clemente, Press Secretary; Patrick Currier, Counsel, Energy & Power; Andy Duberstein, Deputy Press Secretary; Gene Fullano, Detailee, Telecom; Kelsey Guyselman, Counsel, Telecom; Sydne Harwick, Legislative Clerk; Tom Hassenboehler, Chief Counsel, Energy & Power; Brittany Havens, Legislative Clerk; Peter Kielty, Deputy General Counsel; Jason Knox, Counsel, Energy & Power; Grace Koh, Counsel, Telecom; David Redl, Counsel, Telecom; Charlotte Savercool, Legislative Coordinator; Tom Wilbur, Digital Media Advisor; Jen Berenholz, Minority Chief Clerk; Stacia Cardille, Minority Chief Counsel; Margaret McCarthy, Minority Professional Staff Member; and Alexandra Teitz, Minority Senior Counsel, Environment and Energy.

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Mr. Walden. I will call to order the Energy and Commerce Committee and recognize myself for purposes of an opening statement.

This afternoon we begin the markup of H.R. 4572, a bill to reauthorize STELA, the law that brings broadcast television to satellite pay TV subscribers; and H.R. 4342, the DOTCOM Act, written by Representative Shimkus and cosponsored by many members of this committee. I am proud both of these bills originated in the Subcommittee on Communications and Technology, which I chair. These bills are both about the same thing: preserving and protecting things that Americans hold dear, broadcast television and the Internet.

The reauthorization of STELA is widely viewed as the only must-pass communications bill of the Congress. The provisions of this law bring broadcast television to more than 1.5 million Americans that are unserved by local broadcasters or that live in short markets where they lack access to an affiliate from one or more of the major television networks.

In subcommittee markup, I made a commitment to work with my Democratic colleagues to reach bipartisan agreement to move this bill forward. This is a well-worn path for the Communications and Technology Subcommittee, where the majority of the bills we forward to the full Energy and Commerce Committee are bipartisan. And today I am proud to say that STELA is yet another example of our bipartisan success.

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This bill will extend for 5 years the provisions of the Communications Act that enable broadcast carriage on satellite providers. It will prevent coordinated retransmission consent negotiations between broadcasters in the same market. It will provide additional time and certainty for broadcasters forced to unwind joint sales agreements by the FCC's recent misguided changes to its media ownership rules. And it will eliminate the unnecessary and costly integration ban on cable-leased set-top boxes.

This bipartisan agreement benefits the American people and represents the good work this committee can do when both sides commit to achieving an outcome. This type of collaboration has long been a hallmark of our committee, and I am pleased to see this legislative result.

Now, unfortunately, we were not able to come to the same sort of agreement on H.R. 4342. This rational good-government bill is a commonsense approach to an incredibly complex issue with dramatic implications for our country and for the world. Despite the fact that this bill simply requires the nonpartisan Government Accountability Office to study the proposal before NTIA takes irreversible action, our Democratic colleagues have opposed the transparency and prudence of this bill.

The committee has made it clear that we are deeply committed to keeping the Internet free from government intrusion. We have twice

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passed legislation to make clear that the United States has no intention of letting foreign governments, through the power of the United Nations, seize control of the Internet.

We also have no intention of letting the Obama administration cede oversight of the fundamental foundation of the Internet, address and naming authority, without the due diligence to ensure that these functions could not be coopted by foreign entities that do not share our values.

At our subcommittee markup, I mentioned that foreign threats to the Internet are an ever-present reality. This continues to be the case. And just this week, Vladimir Putin signed a new measure into law limiting the free speech of bloggers and Web sites and forcing international email providers and social networks to make users' information available to Russian security services. This makes it more important than ever that the transition process be deliberate and transparent so we can avoid the possibility of opening the door to those who wish to use the Internet in a way that is antithetical to our values.

The legislation before us today is simple: It tells the administration to pause and get an independent evaluation of the consequences of acting. The bill calls on the GAO to fully investigate any proposal to transfer authority over Internet naming and then report back to Congress, report its findings before the administration can take action.

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Frankly, if NTIA views even an evaluation of their proposal that they receive, if they viewed the evaluation by the GAO as an affront to the multistakeholder process, how can we have any confidence that they will have the fortitude to reject a proposal that does not satisfy the criteria?

I simply cannot understand why there is so much hesitation about finding out all of the relevant facts and potential consequences before NTIA makes their decision. Blind support of this transition serves the best interests of no one, and taking the time to pause and carefully evaluate next steps is the prudent and commonsense approach to protecting freedom of the Internet.

With that, I have 26 seconds left, but I think everybody gets an opening statement, so I would yield back the balance of my time. And I would recognize the gentleman from Texas, Mr. Green, who is filling in for Mr. Waxman for 3 minutes for an opening statement.

Mr. Green. Thank you, Mr. Chairman.

Good afternoon. I would like to thank the chair and the ranking member for holding this markup on H.R. 3301, the North American Energy Infrastructure Act; H.R. 4342, the DOTCOM Act; and H.R. 4572, the STELA Reauthorization Act.

The first bill today is H.R. 3301, the North American Energy Infrastructure Act. Since the 1970s, Federal agencies have approved dozens of cross-border facilities that mutually benefited the U.S. and

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either Canada or Mexico. Unfortunately, today the ad hoc presidential permitting process for cross-border facilities has become bogged down in obstructionist politics to the detriment of the public interest.

With the rapid expansion of energy development, the U.S. must acknowledge the need for more energy infrastructure. Pipelines are needed. Pipelines are the most environmentally sound and economic mode of commodity transportation available. The economic benefits associated with H.R. 3301 are evident. Additional cross-border facilities will bring more construction jobs, more energy-development jobs, and additional trade benefits.

However, the benefits of the cross-border pipelines and electric transition lines are deliberately being ignored. As this committee debated H.R. 3301, the debate has focused almost exclusively on the climate change and the National Environmental Policy Act, NEPA. NEPA was created so Federal agencies would make environmentally informed decisions. NEPA created a transparent and open public process that permits stakeholder comments and feedback.

Unfortunately, the opponents of cross-border facilities are now using climate change and NEPA as tools of obstruction. The more opaque and undefined the NEPA process becomes as a result of the climate change debate, the more uncertainty and indecision will prevail on cross-border permits. Climate change is very important and must be considered, but it cannot and should not be used to obstruct or delay

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decision making.

To remain relevant, NEPA must be focused and impactful. The Council on Environmental Quality has tried to address this abuse by issuing guidelines on climate change. CEQ stated it is not useful for the NEPA analysis to attempt to link climate change to particular projects. Such direct linkage is difficult to isolate and understand.

CEQ stated that when assessing the environmental impacts of a project, an agency should look at the consequences of the actions of which it has control and authority. I would like to point out that many Federal agencies, including the State Department, Department of Energy, Federal Energy Regulatory Commission, the Army Corps of Engineers, the U.S. Fish and Wildlife, Environmental Protection Agency, and others have admirably conducted NEPA analysis without issue for years, except when obstruction or abuse are the goal.

We should reject the abuse of the NEPA process. H.R. 3301 eliminates delaying tactics and provides Federal agencies the flexibility needed to make informed decisions. Federal agencies will coordinate with the Department of Defense, the EPA, interested parties, State and local officials to address a project's impact. H.R. 3301 will create a decision-making process that removes political calculations and obstruction, protects the environment, creates jobs in the business community.

I would also like to thank you for marking up the reauthorization

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of STELA. I would like to thank the hard work of members and staff on both sides of the aisle and made all the past several months on finding consensus, and I will be voting in support of this legislation.

I would like to highlight the inclusion language nearly identical to the CableCARD bill, which I introduced last year with my Ohio colleague, Congressman Bob Latta. This language will end the burdensome integration ban which has cost consumers and business over a billion dollars since 2007 in impeding innovation and efficiency.

Mr. Chairman, I would like to ask my full statement be placed in the record because I know I am over time. I would yield back.

Mr. Walden. Thank the gentleman, and I am glad to let him go over time as long as he is supporting our bills. That is good.

I will now turn to Mr. Shimkus from Illinois for his opening statement.

Mr. Shimkus. Thank you, Mr. Chairman.

First, let me say how pleased I am to see our committee was able to reach the bipartisan agreement to reauthorize STELA, and I want to commend you for that work. This is, as you noted, a must-pass piece of legislation, and I just commend staff and you for that good work.

Secondly, I want to express my support for the North American Energy Infrastructure Act before us today. After waiting 2,056 days and counting without approval of the Keystone XL pipeline, it is abundantly clear we need to update the approval process for

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cross-border energy projects. And I commend my colleague and friend Mr. Green, too, for his work on that project.

Finally, I would like to urge support for the legislation I authored, and I want to thank you, Chairman Walden, for your support on that, which is the DOTCOM Act. This legislation would prohibit NTIA from relinquishing U.S. oversight of the domain name system until GAO reviews the multistakeholder proposal it receives from ICANN.

Now, some of my friends on the other side of the dais will argue that requiring this nonpartisan review somehow undermines the open Internet by temporarily retaining our oversight role. But I would remind my colleagues that the Internet has run smoothly for 25 years because of our oversight, which to this day has ensured authoritarian governments have no control over the root zone file names and addresses of the global Internet.

The DOTCOM Act before us today is a simple, good government bill: Trust, but verify. We only get one chance to get this transition right, and it is our responsibility to make sure that NTIA doesn't rubber stamp whatever multistakeholder government's proposal ICANN comes to them with. I urge my colleagues to support what we believe is a reasonable call for oversight. I thank my chairman for the time, and I yield back my time.

Mr. Walden. Thank the gentleman for his good work on all of these issues, a tremendous player on the committee, and thanks for your

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leadership efforts, Mr. Shimkus.

We will now turn to the gentleman from New Jersey, Mr. Pallone, for an opening statement.

Mr. Pallone. Thank you, Mr. Chairman.

Today's bills are a mixed bag. Two of the bills I cannot support, and I urge members to vote no. The first is H.R. 3301, the North American Energy Infrastructure Act. This bill would short-circuit the permitting process for proposed oil pipelines, natural gas pipelines, and electric transmission lines that cross the U.S. border.

I have serious concerns with the section of the bill that waives NEPA requirements. I fear that eliminating or imprudently expediting environmental reviews of these projects will have serious negative environmental ramifications in communities surrounding the path of the pipelines that are constructed, and I plan to oppose the bill and urge my colleagues to join me in doing so.

Additionally, Mr. Chairman, I believe that H.R. 4342, the Domain Openness Through Continued Oversight Matters Act of 2014, is misguided and unnecessary. Bipartisan legislative efforts by this committee last year reaffirmed Congress' unanimous support for the multistakeholder model of Internet governance. Last month, NTIA announced that it will transition away from its contractual relationship with ICANN, and that supports the views and position of this committee. GAO reports for the sake of GAO reports are

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counterintuitive, and, frankly, with the world watching, we should be promoting a global consensus, not additional unilateral action.

Mr. Chairman, I will end on a good note. I want to commend you and Ranking Members Waxman and Eshoo on working diligently to find consensus to reauthorize the Satellite Television Extension and Localism Act, STELA. The bill before us today represents a product that all stakeholders can agree on.

When we first started the process of reauthorizing STELA, I went on record to say that it was too important to get gummed up on partisan politics and any unnecessary provisions. However, you have come together to ensure that that was not the case. So thanks to your hard work, I hope this bill can pass the House expeditiously, and I look forward to working with my colleagues to ensure its passage into law.

Thank you. Yield back.

Mr. Walden. Thank you, Mr. Pallone. We appreciate your help and the help of your staff and all the staff for helping us put this together.

We now turn to the gentleman from Ohio, Mr. Latta, who has played a key role in these issues, as well. Mr. Latta, you are recognized for 3 minutes for opening statement.

Mr. Latta. Well, thank you very much, Mr. Chairman, and thank you very much for holding the markup today on these important pieces of legislation. Today we continue consideration of legislation that

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is pro-investment, pro-innovation, pro-competition and, most importantly, pro-consumer.

In addressing the reauthorization of STELA, we do so first with the priority of protecting access to broadcast programming for over 1 million satellite television subscribers across the country that face a disruption or loss in service if we do not act in a timely manner. We also have an opportunity to implement a few narrow reforms that remove outdated regulations governing the 21st century video marketplace. These reforms will give businesses and entrepreneurs the certainty they need to make maximum investments in modern technologies and the flexibility to respond to changing consumer preferences and demands in the market.

I support these reforms, including the provision I sponsor with Congressman Gene Green that eliminates the current integration ban on leased set-top boxes. This outdated technological mandate burdens businesses and consumers with unnecessary costs. It is energy inefficient and upholds an unlevel regulatory playing field among market participants.

I thank Chairmen Upton and Walden for their support and acknowledgment of our efforts to remove this outmoded regulation that is a barrier to investment and counterproductive to economic growth, productivity, and innovation.

The same pro-investment and pro-innovation, pro-consumer

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principles apply to advancing the DOTCOM Act, as well. It is incumbent upon us to ensure that robust and competitive markets and economies sustained by the open and free Internet are maintained as oversight responsibilities of the domain name systems transition away from the United States. Too much is at stake to not engage in careful, rigorous review of how this transfer of responsibilities will impact U.S. and global economic, political, and social interests and advancements.

And finally, the North American Energy Infrastructure Act will modernize the energy infrastructure approval process to better reflect our newfound state of energy abundance. This much-needed legislation updates the regulatory framework in order to reduce barriers to energy developments and lock in related economic prosperity that is especially beneficial to energy manufacturing districts like the one that I represent.

All these bills will bring about certainty in the face of new technologies and changing landscapes. They embody the type of good governance hardworking American taxpayers deserve, and I urge my colleagues' support.

Mr. Chairman, with that, I yield back.

Mr. Walden. Thank the gentleman for his words and for his good work.

We will now turn to the ranking member of the full committee, Mr. Waxman, for an opening statement.

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Mr. Waxman. Thank you very much, Mr. Chairman.

Today we start consideration of three bills. I strongly oppose two of these bills and support one. Yesterday, in the Third National Climate Assessment, the Nation's top scientists warned us again of the dangers of climate change. This report documents how climate change is harming Americans today.

This committee has a responsibility to respond to this threat. Instead, we are considering H.R. 3301, which would make climate change even worse. The bill would stop the President from evaluating the climate impact and almost every other impact of multibillion-dollar energy infrastructure projects that will increase carbon pollution for decades to come.

The Keystone XL tar sands pipeline is one such project. Over the last few years, House Republicans have repeatedly tried to mandate approval of Keystone XL. This bill goes even further; it creates a new process to rubber stamp every pending and future tar sands pipeline. H.R. 3301 requires rushed approvals of tar sands pipelines with no Federal environmental review, no public comment, and no consideration of legitimate concerns such as climate change or even safety. The bill eliminates Federal environmental review and mandates approval of projects that are contrary to the broad public interest.

This bill virtually guarantees that Keystone XL and other controversial pending tar sands pipelines are approved within about

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1 to 2 years. Under this, quote, "zombie pipeline act," end quote, even if the administration rejects Keystone XL because it is not in the public interest, Keystone XL can rise from the grave and reapply. It would then be rubber stamped under the new process.

H.R. 3301 also applies to cross-border natural gas pipelines and electric transmission lines, and the bill would allow for unlimited exports of liquefied natural gas through Canada and Mexico with absolutely no controls or conditions. The administration has expressed serious concerns about H.R. 3301, explaining that the bill, quote, "would unnecessarily limit the ability for the executive branch to make reasoned and responsible decisions," end quote. I share those concerns and hope members will vote against this bill.

We will also mark up two telecom bills tomorrow. I am pleased to join Ranking Member Eshoo, Chairman Upton, and Chairman Walden in becoming an original cosponsor of the STELA Reauthorization Act of 2014. The bill reflects the bipartisan agreement that we reached on a number of key issues concerning the video marketplace.

This bill will prohibit the collusive practice of joint retransmission consent negotiation by two or more broadcasters in the same market. It also provides enhanced notice and compliance procedures for broadcasters to unwind joint sales agreements that do not comport with FCC requirements. And it does offer new incentives for cable operators to design more energy-efficient set-top boxes.

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This legislation will benefit the TV-viewing public. I want to thank Chairman Upton and Chairman Walden for their work with Democrats to produce a bipartisan agreement we can all stand behind, and I want to thank Ranking Member Eshoo for her leadership in spearheading our efforts.

Unfortunately, the second telecom bill we will consider, the DOTCOM Act, is not bipartisan. This bill makes false assumptions about the role of the United States Government in the management of key Internet functions today, and it contradicts Congress' past support of the multistakeholder model for Internet governance. If passed, it will undermine our diplomats' efforts to ensure a global, open Internet.

The administration formally opposes the bill and so do I. Rather than pushing forward with a partisan bill that has zero chance of enactment, we could join together to ensure that ICANN has the proper tools to protect and enhance a free and open Internet.

That concludes my opening statement, Mr. Chairman. I yield back my time.

Mr. Walden. Thank the gentleman for his opening statement.

And we will now turn to the gentleman from Texas, Mr. Olson, for an opening statement.

Mr. Olson. I thank the chair. I would like to thank Chairman Upton and my fellow Texan, Mr. Green, for their hard work on H.R. 3301,

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the North American Energy Infrastructure Act.

In the 113th Congress, I have talked again and again and again about the importance of energy and trade to the modern American economy. American energy means good-paying jobs and economic growth. As a Texan, I know what the shale boom in the Eagle Ford and Permian Basin have meant to my home State. Texas pulled America out of the recession with energy jobs.

And trade is also critically important. The Port of Houston alone brings in nearly \$200 billion to the State of Texas. Our port leads the Nation. The jobs this creates at home and influence it gives us abroad cannot be replaced.

Today, American energy and trade can be an amazing force for good. Last week, we took up Mr. Gardner's H.R. 6 to send natural gas abroad; today, we are looking closer to home. It doesn't make sense that to send electricity or oil or gas to our neighbors should be a permitting nightmare. Mexico is one of our leading trading partners. Canada is a key ally. They stood tall with us in the war in Afghanistan; 158 Canadians have died in Afghanistan. Only America has lost more. It is embarrassing that the idea of buying electricity from our closest friends is so difficult, and it is a perfect example of the death-by-permit we face here in America.

And that is why this bill is so important. And contrary to the cries of critics, H.R. 3301 does not create a wild West for energy

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products. We will study the environmental impacts of a pipeline, and we will still oversee the construction of transmission lines.

What it won't do -- won't do -- is keep a system in place where it takes less time to raise a child from cradle to kindergarten than it does for Washington to approve a pipeline project. Today's bill just snips one piece of the red tape from the long, complicated process. A lot more cutting has to be done.

I look forward to voting yes on all three bills tomorrow. I yield back.

Mr. Walden. Thank the gentleman for his kind comments and strong words and his good work on the committee.

We will now turn to Ms. Schakowsky, I believe is next in order on the Democrat side, and we look forward to your comments. Please, go ahead.

Ms. Schakowsky. Thank you, Mr. Chairman.

While like Mr. Waxman I support one of the bills and oppose two that we will be considering tomorrow, but I want to focus especially on 3301, the North American Energy Infrastructure Act. Yesterday, the U.S. National Climate Assessment was released. For those of us who took time to review it, it was a reminder of the dire situation we face as a civilization if we fail to act promptly to combat climate change.

We are already feeling the impacts of climate change: longer and hotter summers, more severe storms, and massive drought and wildfires.

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If the world continues on its current path by 2010, the oceans will rise as much as 4 feet, water shortages will increase rapidly, and the hottest days could be more than 10 degrees hotter. A Harvard study found that by the end of the century my hometown of Chicago could suffer thousands of additional heat-related deaths each year as a result of climate change.

Science dictates that in order to turn the tide on climate change we have to reduce carbon and other toxic emissions. We know how to do that, by committing to renewable energy technologies like solar and wind and by implementing energy efficiency strategies, like the schools and buildings efficiency bill, those that we passed out of this committee last week. We should be working together more often to achieve those goals.

Instead, we return this week to reckless policies that would have us double down on our reliance on fossil fuels and accelerate the climate crisis. H.R. 3301 would remove the requirement for oil, gas, or electric trans-boundary pipelines to obtain a Presidential permit. It would also establish arbitrary timelines for the approval of any pipeline application regardless of the complexity of the project.

And finally, it would transition from a national interest determination to a national security determination, which would have the effect of removing any consideration of environmental, public health, safety, and other nonsecurity impacts of a proposed pipeline.

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Not to miss an opportunity, the bill would set an arbitrary timeline for the President to make a decision on the Keystone XL pipeline, Alberta Clipper, and all other pending pipeline projects on the grounds that they are not in the national interest, and then they can be resubmitted to the agencies without a single change and be approved under the less restrictive determination called for under this bill if the President should reject the project.

So we can't afford the decades-long commitment to tar sands, the dirtiest oil on Earth, that this bill would expedite. It is a recipe for disaster. And it will send the wrong message to the world. As I have said countless times, this committee has a unique opportunity to lead on this issue, to lead the world on this issue, and to leave a legacy that will make our children and our grandchildren not only proud, but healthier. We should take that opportunity and reject irresponsible legislation like this.

And I yield back.

Mr. Walden. Gentlelady yields back the balance of her time.

Chair now recognizes the chairman from the great State of Michigan, chairman of the full committee, Mr. Upton, for opening comments.

The Chairman. Well, thank you, Mr. Chairman. I apologize that I was late. But let me just say, today we are going to continue our efforts to boost job creation and modernize government for the

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innovation era as we begin consideration of three very important pieces of legislation.

First, we are going to consider bipartisan legislation that I authored with my colleague Gene Green, the North American Energy Infrastructure Act, which is a critical component of our efforts to construct the architecture of abundance. And while this legislation does not directly impact the Keystone XL pipeline, the project's 5 years of delays underscores why this bill is so necessary as we seek to fulfill our energy potential.

As it stands, cross-border pipeline or transmission lines projects can be subjected to open-ended Federal delays that far exceed that of comparably sized projects that stay within the U.S. H.R. 3301 is a targeted solution. It takes the poorly defined process of reviewing cross-border projects that was cobbled together from executive orders and replaces it with a concrete pathway and clear congressional authorities. It puts an end to the unjustified delays of much-needed pipelines. And for electric transmission lines it strengthens current arrangements, encouraging an integrated North American electric grid.

I want to emphasize that the bill does not change any of the underlying safety or environmental reviews. Cross-border pipeline or transmission line would be subject to all of the same requirements as a comparable project within the U.S., but it would no longer have to

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contend with additional hurdles simply because it crosses from Canada to Mexico.

Next, we are going to consider bipartisan legislation to reauthorize STELA, ensuring that more than 1.5 million satellite TV subscribers do not lose their access to important broadcast programming. This I know is a priority for all members of the committee. We had a spirited dialogue that resulted in our bipartisan agreement. The other targeted reforms in this bill make small changes that will have a positive impact on consumers and industry alike.

Eliminating the costly CableCARD integration ban repeals unnecessary regulations and allows for greater innovation in cable set-top boxes. In addition, changes to retransmission consent negotiations help level the playing field and ultimately certainly benefits consumers. It is good policy. And I want to thank particularly Chairman Walden and Ranking Members Waxman and Eshoo and their staff for their work on this agreement.

Last, we are going to consider the DOTCOM Act, a deliberate and commonsense attempt to bring transparency to the process of transitioning NTIA's oversight role to a successor. This is a good government deal, plain and simple. DOTCOM Act is a question of domestic U.S. policy and ensures that the NTIA pause to fully consider the implications and consequences of any proposal that they are presented.

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It would be irresponsible for Congress and the administration to ignore those hostile governments that have openly expressed their desire to seize and control the Internet. Once we transfer this role away, there is no going back. Taking the extra time to allow a GAO evaluation of any successor proposal should not be a partisan issue and instead should be viewed as a step in this years-long transition.

Protecting the core values of the Internet is a goal that we all share, and this bill furthers that goal. We have had a strong record of bipartisan success with over a dozen public laws on the books so far this year. Let's build upon that record. I would urge my colleagues to support all of these commonsense bills, and yield back the balance of my time.

Mr. Walden. Gentleman yields back the balance of his time.

The chair now recognizes the gentleman from New York, Mr. Engel, for 3 minutes.

Mr. Engel. Thank you. Thank you very much, Mr. Chairman.

We come here today to consider three bills: H.R. 3301, the North American Energy Infrastructure Act; H.R. 4342, the Domain Openness Through Continued Oversight Matters Act; and the STELA reauthorization. I want to use my time here to talk about the North American Energy Infrastructure Act and to express my strong concern over various provisions in the bill, the purpose of which is to more quickly approve pipelines.

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I voted against H.R. 3301 at the Energy and Power Subcommittee markup last winter. The bill significantly shortens the relevant agencies' abilities to review major transnational oil and natural gas pipeline and electric transmission lines to 120 days. Under this incredibly short timeline, the Departments of Commerce and Energy, as well as FERC, would not have sufficient time to review applications, nor would the public have sufficient time to comment on pending applications. This rushes what is an incredibly complicated and technical process and I believe does so in a way that could have significant ramifications for the environment and for local communities.

This bill also eliminates the Presidential permitting process and replaces it with a process that eliminates consideration of environmental impacts, and would essentially approve any pending project not acted on by the administration as of July 1, 2016.

With respect to natural gas exports, I have said in the past that the United States does have a role to play. Last week our committee marked up H.R. 6, and I expressed my interest in the bill but ultimately voted against it because the timeline for DOE action, in my opinion, was too short. Should that timeline be fixed prior to final passage, I certainly will give the bill thoughtful consideration.

In that bill, we removed the problematic language that granted automatic access to any WTO member nation to our natural gas exports.

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However, this bill would allow almost unrestricted amounts of LNG exports to Canada and Mexico, which could then be reexported to any country without any Department of Energy review of our national interest. To me, that would undo any benefit we could achieve should we reach a bipartisan compromise on H.R. 6. I urge my colleagues to consider that as we go forward.

While I remain very open to the idea of LNG exports and believe we can find a bipartisan path, this bill is not just an LNG bill. It undercuts incredibly vital environmental review for oil and electric lines, undercuts the Presidential permitting process, and opens our natural resources to export with almost zero review for the U.S. national interest.

For these reasons, I oppose this legislation. I also remind my colleagues again that I do remain committed to working on H.R. 6 so we can find meaningful ways to address LNG exports in a bipartisan way while not getting bogged down in a bill that undercuts important regulatory and environmental authority.

I thank you, and I yield back the balance of my time.

Mr. Walden. Thank the gentleman for his comments, and he yields back the balance of his time.

The chair will now recognize the gentleman from Texas, Mr. Barton, for 3 minutes for an opening statement.

Mr. Barton. Thank you, Mr. Chairman. I hope to give you some

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time back.

I rise in support of all three bills that are before the full committee when we go to markup tomorrow, the STELA reauthorization bill, the DOTCOM bill, and the North American Energy Infrastructure Act.

With regards to the Energy Infrastructure Act, I listened to my good friend from New York's comments and concerns about it. I can assure him that I don't think those comments and concerns are as critical as perhaps he may think. I think if we move the Energy Infrastructure Act it sets in place something that is very similar to what we have had for a number of years for natural gas projects, and I do think that replacing Federal law instead of a Presidential executive order is a step in the right direction.

I have not been as directly involved in the negotiations on the Satellite Reauthorization Act as some. I was somewhat dismayed earlier today when I was told that one of the main stakeholders had decided not to support it, but after talking to the subcommittee chairman, who happens to be sitting in the chair right now for the full committee chairman, I am comforted that every effort has been made to include everybody in the discussions. And while people may disagree with the ultimate outcome, they were given ample opportunity to participate.

So I will be a supporter of all three bills, and I look forward

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to the debate tomorrow. And with that, Mr. Chairman, I yield back a minute and 5 seconds.

Mr. Walden. We will put that in the bank for you for next time. Thank you, Mr. Chairman. We appreciate your support of the legislation and your good comments.

I think now next up should be Mr. Bilirakis, who I think was here preceding Mr. Scalise at the drop of the gavel, so we will turn to Mr. Bilirakis for 3 minutes.

Mr. Bilirakis. Thank you. I appreciate it, Mr. Chairman.

I commend you for bringing before the committee these very important bills. I strongly support H.R. 3301, the North American Energy Infrastructure Act, which will ensure that transitional pipeline construction permits are considered on their merits instead of the politics.

Despite extensive environmental and economic reviews that support construction of the Keystone pipeline, the President has failed to approve the necessary permit. This commonsense and bipartisan legislation will ensure due process for applicants. We must address rising energy costs that drain family budgets and create a long-term energy plan which requires the modernization of many of our energy laws. This legislation will help our country on a path to prosperity and energy independence. I look forward to working with my colleagues to move this legislation out of the House of Representatives and into the

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Senate.

Regarding oversight of the Internet domain name system, I believe that H.R. 4342, the DOTCOM Act, is the right step at this time. In today's day and age it is important to ensure an open and free Internet that maintains the freedoms of speech, press, and assembly. A deliberate evaluation of any proposal by the NTIA is necessary to avoid unforeseen consequences that may imperil these principles.

Finally, I am very pleased an agreement has been reached to move forward with the reauthorization of STELA. I commend you, Mr. Chairman, for your hard work on this good piece of legislation. Thank you very much, and I yield back.

Mr. Walden. Thank the gentleman for his kind comments and his generous support.

And we will now turn to the gentleman from Louisiana, Mr. Scalise, who has put a lot of work into all of these issues and has been very involved.

And we appreciate you being here and your involvement in the committee. And please go ahead with your opening statement.

Mr. Scalise. Well, I appreciate that, and I want to thank the chairman for holding this markup and for bringing these important bills to the committee.

I want to express my support for the North American Energy Infrastructure Act. This bill brings clarity to what has become an

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unnecessarily lengthy and cumbersome process of improving pipeline and electric transmission lines that cross our borders. This bill does not change any underlying requirements having to do with safety or environmental review.

Legislative action is necessary to address this slow process so that our country can truly unlock its potential. The delays experienced by the Keystone XL pipeline are all too familiar, and the North American Energy Infrastructure Act will provide a fix.

I also plan on supporting the STELA Reauthorization Act, which makes incremental progress towards reforming our outdated video laws. While more work is certainly left to do in this area, it is my hope and strong urging to this committee that we continue striving to level the playing field for private sector job creators and continue our work on behalf of consumers by easing the outdated Federal mandates imposed on them in the video marketplace.

These video issues are not partisan debates, but in fact ripe areas for partisan cooperation that have far outlived any usefulness and purpose that they may have had. The Communications Act update that we are pursuing through hearings and hopefully legislation sometime next year is an ideal platform to continue exploring how best to modernize our Nation's outdated video laws and regulations.

Finally, Mr. Chairman, I support H.R. 4342, the DOTCOM Act, and commend Representative Shimkus for his leadership on this issue and

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vision to provide another layer of accountability to the Obama administration's plan to transition the vital Internet DNS functions from ICANN to a new and undefined multistakeholder organization.

A little more transparency on such an important issue just simply makes sense, especially since we are talking about tinkering with the ecosystem of the Internet, which is responsible for millions of jobs and economic growth opportunities, not just in the United States, but all across the globe.

So I want to thank you again, Mr. Chairman, for the markup, and I yield back the balance of my time.

Mr. Walden. I thank the gentleman for his diligent efforts and appreciate his comments.

We now, seeing no one else seeking time for an opening statement, the chair now calls up H.R. 3301 and asks the clerk to report.

The Clerk. H.R. 3301, to require approval for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities at the national boundary of the United States for the import or export of oil, natural gas, or electricity to or from Canada or Mexico, and for other purposes.

Mr. Walden. And without objection, the first reading of the bill is dispensed with.

[The bill follows:]

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Mr. Walden. The bill will be open for amendments at any point.
So ordered.

For the information of the members, we are now on H.R. 3301. The committee will reconvene tomorrow at 10 a.m. And I would remind members the chair will give priority recognition to amendments offered on a bipartisan basis. So I look forward to seeing you all tomorrow, and a few of our other colleagues. And without objection, the committee now stands in recess.

[Whereupon, at 5:02 p.m., the committee recessed, to reconvene at 10:00 a.m., Thursday, May 8, 2014.]