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6 MARKUP OF:

7 H.R. 3291, THE "ASSISTANCE, QUALITY, AND AFFORDABILITY ACT OF
8 2021'';

9 H.R. 3293, THE "LOW-INCOME WATER CUSTOMER ASSISTANCE PROGRAMS
10 ACT OF 2021''; AND

11 H.R. 2467, THE "PFAS ACTION ACT OF 2021''

12 WEDNESDAY, JUNE 23, 2021

13 House of Representatives,

14 Committee on Energy and Commerce,

15 Washington, D.C.

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19 The committee met, pursuant to call, at 10:36 a.m. in
20 Room 2123, Rayburn House Office Building, Hon. Frank Pallone
21 [chairman of the committee] presiding.

22

23 Present: Representatives Pallone, Rush, Eshoo, DeGette,
24 Doyle, Schakowsky, Butterfield, Matsui, Castor, Sarbanes,
25 McNerney, Welch, Tonko, Clarke, Schrader, Cardenas, Ruiz,
26 Peters, Dingell, Veasey, Kuster, Kelly, Barragan, McEachin,
27 Blunt Rochester, Soto, O'Halleran, Rice, Craig, Schrier,
28 Trahan, Fletcher; Rodgers, Upton, Burgess, Scalise, Latta,
29 Guthrie, McKinley, Kinzinger, Griffith, Bilirakis, Johnson,
30 Long, Bucshon, Mullin, Hudson, Walberg, Carter, Duncan,
31 Palmer, Dunn, Curtis, Le, Pence, Crenshaw, Joyce, and
32 Armstrong.

33

34 Staff Present: Jeff Carroll, Staff Director; Waverly
35 Gordon, General Counsel; Jessica Grandberry, Staff Assistant;
36 Tiffany Guarascio, Deputy Staff Director; Anthony Gutierrez,
37 Professional Staff Member; Perry Hamilton, Deputy Chief
38 Clerk; Zach Kahan, Deputy Director Outreach and Member
39 Service; Rick Kessler, Senior Advisor and Staff Director,
40 Energy and Environment; Mackenzie Kuhl, Press Assistant; Joe
41 Orlando, Policy Analyst; Kaitlyn Peel, Digital Director;
42 Chloe Rodriguez, Deputy Chief Clerk; Andrew Souvall, Director
43 of Communications, Outreach, and Member Services; Rebecca
44 Tomilchik, Policy Analyst; Sarah Burke, Minority Deputy Staff
45 Director; Michael Cameron, Minority Policy Analyst, CPC,
46 Energy, Environment; Jerry Couri, Minority Deputy Chief
47 Counsel for Environment; Nate Hodson, Minority Staff
48 Director; Olivia Hnat, Minority Communications Director;
49 Peter Kielty, Minority General Counsel; Emily King, Minority
50 Member Services Director; Bijan Koohmaraie, Minority Chief
51 Counsel; Mary Martin, Minority Chief Counsel, Energy &
52 Environment; Brannon Mooney, Minority Deputy Chief Counsel
53 for Energy; Peter Spencer, Minority Senior Professional Staff
54 Member, Energy; Michael Taggart, Minority Policy Director.

55

56 *The Chairman. The committee will come to order, and we
57 are meeting today to consider H.R. 3291; H.R. 3293; and H.R.
58 2467.

59 My opening remarks are longer than normal, because I
60 will explain the procedures we will follow at today's markup.

61 But before, let me just thank everybody for being here.
62 I mean, I know we are not all here in person, but it appears
63 that most of us, or at least the majority of us, are. And it
64 is really so wonderful to be in the room. I really haven't
65 -- I don't know if any of us, really, have been here very,
66 very much, particularly in this room. So it is good to be
67 back, and good to see everybody in person.

68 But due to the COVID-19 public health emergency, members
69 can participate in today's markup either in person or
70 remotely, via online video conferencing. Members who are not
71 vaccinated and participating in person must wear a mask and
72 be socially distanced. Such members may remove their masks
73 when they are under recognition, and speaking from a
74 microphone, similar to the floor. Staff and press who are
75 not vaccinated and present in the committee room must wear a
76 mask at all times, and be socially distanced.

77 For members participating remotely, your microphones
78 will be set on mute for the purpose of eliminating
79 inadvertent background noise. Members participating remotely
80 will need to unmute your microphone each time you wish to

81 speak. Please note that, once you unmute your microphone,
82 anything that is said in Webex will be heard over the
83 loudspeakers in the committee room, and subject to be heard
84 by the live stream and C-SPAN.

85 Additionally, I ask that members participating remotely
86 use the raised hand feature of the software platform when you
87 wish to be recognized, including to give an opening statement
88 or to offer an amendment. And after you are recognized to
89 speak, please use the lower hand feature of the software
90 platform, so that I know that you no longer seek recognition.

91 During voice votes, members participating remotely will
92 need to unmute yourselves so that we can hear your response.
93 If you would like to request a recorded vote, please do so
94 immediately after you respond to the voice vote. During
95 recorded votes you will need to unmute yourself to respond to
96 the clerk, once your name is called. In responding to the
97 clerk, I ask that, instead of just saying aye or no, that you
98 respond with a phrase like, "Frank Pallone from New Jersey
99 votes aye.'" And this will provide additional time for the
100 voting member to be identified and made visible on the
101 platform.

102 Since members are participating from different locations
103 at today's markup, all recognition of members, including for
104 question and opening statements, will be in the full -- will
105 be in the order of full committee seniority. So it is not

106 where you have to be here before the gavel. We are just
107 going to use seniority, otherwise it is going to be too
108 difficult.

109 So during this markup, amendments will be sent to
110 members electronically, as we did during virtual markups.
111 Members participating in person should not bring paper copies
112 of your amendments to the clerk's desk. If a member
113 participating in person would like a paper copy of an
114 amendment or bill, please let staff know during the
115 consideration of the amendment or bill. And amendments and
116 motions should be sent to Chloe Rodriguez and Perry Hamilton,
117 and documents for the record to Rebecca Tomilchik at the
118 email addresses we have provided to staff. All documents
119 will be entered into the record at the conclusion of the
120 markup.

121 So that is it for the process. I am not sure everyone
122 followed it completely, but we are going to do our best here.
123 And I will now recognize myself for five minutes for an
124 opening statement on the substance of what is before us.

125 Today the committee is considering three important
126 public health measures reported last week by the Subcommittee
127 on Environment and Climate Change. By acting today we will
128 deliver crucial drinking water improvements that communities
129 desperately need. We will also meet the promise of President
130 Biden's American Jobs Plan by improving the safety and

131 affordability of drinking water for all Americans. And
132 finally, we will tackle PFAS contamination in our air, land,
133 water.

134 And we will begin by considering the AQUA Act of 2021,
135 authored by Chairman Tonko. This legislation provides
136 significant Federal funding to revitalize our nation's
137 drinking water infrastructure, and replace lead service lines
138 nationwide. It provides funding for water resiliency
139 programs, school drinking water safety programs, and tribal
140 water programs, and it provides funding to pay off water
141 customer debt, helping families and water utilities navigate
142 a debt crisis that puts both at risk.

143 Most importantly, the AQUA Act would strengthen our
144 drinking water standards and improve the EPA's ability to set
145 those standards where needed. The Environment and Climate
146 Change Subcommittee has held several hearings on standard-
147 setting challenges under the Safe Drinking Water Act, and the
148 AQUA Act is now a full rewrite of the Safe Drinking Water Act
149 process, but it would make targeted changes that could
150 empower the EPA, and it would set deadlines for several long-
151 overdue standards.

152 Drinking water infrastructure has long been an area of
153 strong bipartisan agreement in this committee, and I hope
154 that drinking water safety can be, as well.

155 The second bill is the Low-Income Water Customer

156 Assistance Program. It is a bipartisan bill led by
157 Representatives Blunt Rochester and Katko. It would create
158 permanent assistance programs to help low-income customers
159 pay their drinking water and wastewater bills, just as the
160 LIHEAP program helps low-income customers pay their energy
161 bills.

162 These permanent programs will be a safety net for low-
163 income customers and the water systems that serve them. The
164 bill enjoys widespread stakeholder support, and I expect it
165 will have broad support today.

166 And the last bill is the PFAS Action Act, and that was
167 the product of robust work in this committee last Congress
168 that passed the House last year on a strong bipartisan basis.
169 And I am pleased that this Congress it is being led by
170 Representatives Dingell and Upton, the two Michiganders.

171 We heard at last -- well, not the only Michiganders, but
172 two of them -- we heard at last week's subcommittee markup
173 that some of my Republican colleagues want to delay this bill
174 because they want to hold new hearings. But I just believe
175 we have to act now. PFAS contamination is a pressing issue
176 for countless communities. And while the EPA under President
177 Biden is working hard to address the issue, it is still
178 playing catch-up after four years of inaction.

179 One year after the House passed this bill, we still
180 don't have a drinking water standard, a test rule, or a

181 hazardous substance designation for even a single PFAS
182 chemical. So I think the bill is urgently needed, and look
183 forward to advancing it today.

184 *The Chairman. With that I will yield back, and I will
185 recognize Mrs. Rodgers.

186 But let me just say, from a process point, because I
187 didn't thank you, that, you know, in the last week or so the
188 ranking member and I have been working hard to try to have
189 this process, where we can be in person and still have those
190 who want to participate virtually. Her and her staff have
191 been working with us on a regular basis, and so I do want to
192 thank you, Cathy, for all your help with that.

193 And I yield now to the ranking member.

194 *Mrs. Rodgers. Thank you, Mr. Chairman, and good
195 morning to all my colleagues. It feels good to be back in
196 the committee room, and I appreciate you working with us,
197 together, working out this hybrid approach to our committee
198 hearings. And I do believe it is going to be a positive for
199 our work in front of the Energy and Commerce Committee.

200 Today we are marking up some bills, provisions in which
201 I find appealing, some of them, but not able to support on
202 their own. There is a lot that I would like to just
203 highlight today.

204 First, the first bill we are discussing is H.R. 3291,
205 the Assistance, Quality, and Affordable Act of 2021. I

206 believe that we must not lose the successes this committee
207 secured in the America's Water Infrastructure Act of 2018.
208 Three items, though, make this bill especially concerning.

209 First, it authorizes appropriation levels at 400 to 500
210 percent higher than the most recently-appropriated amount.
211 It also creates a new, expensive program providing free,
212 privately-owned led service line replacements to the
213 wealthiest Americans.

214 Second, it strips existing legal requirements that
215 balance costs and benefits, and promotes the affordability of
216 safe drinking water, especially in small communities.

217 Last, it prohibits the collection of any future water
218 bills for five years by water utilities that accept billing
219 arrangement payments. This will place undue economic strain
220 on water utilities.

221 The second bill under consideration is H.R. 3293, which
222 creates the first income support program ever at EPA. Two
223 items concern me most about this bill. First, low-income,
224 rural communities and privately-held water systems are
225 subjected to more burdensome hoops to obtain funding than
226 others, including in urban areas. Second, H.R. 3293 creates
227 a permanent billing assistance program, while simultaneously
228 directing EPA to study whether the need exists. We should
229 study it before establishing the program.

230 Finally, there is the PFAS Action Act, H.R. 2467. PFAS

231 are a class of 9,252 separate chemicals, according to EPA's
232 Master PFAS list. I have become familiar with two of the
233 best known PFAS, PFOA and PFOS, because they are a foam that
234 have contaminated at Fairchild Air Force Base in Airway
235 Heights, Washington.

236 While I support solving PFAS problems, H.R. 2467 isn't
237 workable. It removes the lab coat from EPA scientists to
238 mandate those decisions. It forces EPA to make thousands of
239 regulatory determinations under its major laws. It removes
240 the public from the regulatory process, and it favors harsh
241 limits over science and real safety.

242 Mr. Chairman, I recognize that these bills are well-
243 intended. Unfortunately, being well-intended and well-
244 meaning is not a substitute for poor outcomes.

245 *Mrs. Rodgers. And with that, I yield back.

246 *The Chairman. And I thank the ranking member. It just
247 dawned on me that you -- we haven't actually had an in-person
248 meeting with you as the ranking member.

249 *Mrs. Rodgers. That is true. This is my first. Here
250 we go.

251 *The Chairman. That is wonderful. I didn't think about
252 -- yes, it is true.

253 [Applause.]

254 *Mrs. Rodgers. It is much better. It is much better to
255 be in person than on the screen. It is like a restart, a

256 reset here.

257 *The Chairman. That is true.

258 *Mrs. Rodgers. That is good. Thank you.

259 *The Chairman. All right. So what we are going to have
260 -- these bills all came from the Environment and Climate
261 Change Subcommittee, so I would like to have the chair and
262 ranking member of the subcommittee, if they would like, to
263 make an opening statement. I assume they will. So we will
264 start with -- Mr. Tonko, chairman of the subcommittee, is
265 recognized for three minutes.

266 *Mr. Tonko. Thank you, Mr. Chair. I am excited that
267 the committee today is considering these three bills that we
268 advanced favorably by the Environment and Climate Change
269 Subcommittee last week.

270 America's drinking water systems are essential
271 infrastructure, maybe the most essential of any public
272 systems we support. And all across America, these systems
273 are failing. Congress must include them in any
274 infrastructure package that we move in the coming weeks or
275 months.

276 H.R. 3291, the AQUA Act, enhances water infrastructure,
277 quality, safety and affordability, and delivers a needed
278 lifeline for drinking water repairs and upgrades to state and
279 local governments. This bill authorizes the Drinking Water,
280 State Revolving Fund and other essential EPA programs for 10

281 years. It establishes a \$45 billion program to replace lead
282 service lines, and reforms to Safe Drinking Water Act to
283 improve EPA's broken standard-setting process.

284 With the next bill, H.R. 3293, the Low-Income Water
285 Customer Assistance Programs Act, introduced by
286 Representatives Blunt Rochester and Katko, addresses the
287 growing challenge of water affordability for millions of
288 Americans.

289 And finally, H.R. 2467, the PFAS Action Act, works
290 comprehensively to reduce Americans' exposure to dangerous
291 PFAS chemicals, whether through our air, our water, or our
292 consumer products. Despite promising initial steps from the
293 Biden Administration, I fear that the EPA will not adequately
294 address PFAS without clear, comprehensive directions from
295 Congress. My thanks to Representatives Dingell and Upton for
296 their enduring leadership on this bill, and commitment to
297 addressing this dangerous class of forever chemicals.

298 I expect there will be several amendments offered today,
299 and I remain interested in working with members to further
300 improve these bills, both today and before they come to the
301 floor.

302 With that Mr. Chair, I encourage members to support
303 these bills, and I yield back.

304 *The Chairman. Thank you, Chairman Tonko. And next I
305 would recognize Mr. McKinley, the ranking member of the

306 subcommittee, for three minutes.

307 *Mr. McKinley. Thank you, Mr. Chairman, and thank you
308 for bringing us back into committee, back into this room. It
309 changes the complexion.

310 The AQUA Act is, indeed, well intended. I understand
311 that. But I still, like the ranking member, still have
312 serious concerns with it. It removes the cost benefit
313 requirement and small system variances from the Safe Drinking
314 Water Act. I will be offering an amendment that -- to ensure
315 these existing provisions remain in law.

316 The committee also examines the Water Assistance Program
317 of 2021. This bill created -- will create at the EPA -- and,
318 as the ranking chairman -- ranking member -- I guess chairman
319 in waiting -- just said that -- this is the first time. And
320 it establishes a government-assisted social program.

321 And lastly, the committee will have a markup on bills on
322 PFAS. As I explained last week, nearly a quarter of our
323 members are new to the committee, and we haven't had a
324 hearing on PFAS in two years, despite all of our requests for
325 one before last week's markup. We need to understand that
326 PFAS is, indeed, a class of over 9,000 different chemicals
327 with varying properties and characteristics. And the science
328 on PFAS has evolved since this committee last had a hearing,
329 yet this bill takes a non-scientific, one-size-fits-all
330 approach to address the problem.

331 And curiously, Mr. Chairman, it includes a unique
332 exemption from liability for airports. Airports have been
333 one of the biggest users of firefighting foam like PFOA and
334 PFOS, P-F-O-S. And yes, the FAA requires airports to use it.
335 And others, like water utilities, are also required by the
336 Federal Government to filter their water containing PFAS, but
337 they didn't get an exemption. So, obviously, this bill is
338 trying to do airports a favor. But why not our water
339 systems? Mr. Chairman, at the proper time, I am curious, I
340 will be interested to learn your explanation of why this
341 committee is favoring one group over another.

342 And let's not forget that EPA has made significant
343 progress in addressing PFAS since this bill passed the House
344 last year, and Congress has already passed key part --
345 bipartisan laws to address it.

346 So, Mr. Chairman, let's take the time to address the
347 issue in a more thoughtful manner, all these three bills,
348 before they go to the floor.

349 And I yield back the balance of my time. Thank you.

350 *The Chairman. I thank the gentleman.

351 So any member can be recognized for one minute for an
352 opening statement, if anybody so desires. Is there anyone on
353 the Democratic side that would like to speak, make an opening
354 statement?

355 Oh, I am sorry, I keep forgetting we have got the people

356 virtually.

357 Okay, Mrs. Dingell is recognized for one minute.

358 *Mrs. Dingell. Thank you, Mr. Chairman. I know, and I
359 would rather be in the committee room.

360 Thanks for holding today's full committee markup on
361 these three important bills that advance --

362 [Audio malfunction.]

363 *The Chairman. Oh, well.

364 *Mrs. Dingell. -- work on each of these bills. If
365 enacted, they will ensure Americans nationwide have access to
366 clean, safe, and affordable drinking water, as well as
367 protect the American people from harmful forever chemicals.

368 And finally --

369 [Audio malfunction.]

370 *Mrs. Dingell. -- and I urge every member of this
371 committee to send these bills favorably to the floor today,
372 because it will help so many American people.

373 Thank you, Mr. Chairman, and I yield back.

374 *The Chairman. Thank you, and we will submit the
375 complete statements for the record. It was a little garbled
376 there, but again, we are experimenting this week.

377 Anyone on the Republican side that would like to make an
378 opening statement for one minute?

379 And I guess I should repeat that if you are virtual, you
380 know, you need to raise your hand, or some -- electronically,

381 if possible, or at least somehow signal to us that you want
382 to speak.

383 Is there anybody else on the Democratic side that we
384 missed?

385 All right, we are going to move on, then. That
386 concludes opening statements, but you can still submit them
387 for the record.

388 Pursuant to committee rules, members' written opening
389 statements shall be made part of the record. Please submit
390 written opening statements electronically to the email
391 address that we have provided.

392 At this time we will begin bill consideration. The
393 chair calls up H.R. 3291, the Assistance, Quality, and
394 Affordability Act of 2021, or -- the AQUA Act is the acronym
395 -- as forwarded by the Subcommittee on Environment and
396 Climate Change.

397 And the clerk will report the title of the bill.

398 *The Clerk. Committee print showing the text of H.R.
399 3291, as forwarded by the Subcommittee on Environment and
400 Climate Change.

401 *The Chairman. Without objection, the first reading of
402 the bill will be dispensed with, and the bill is now
403 considered as read.

404

405

406 [The bill follows:]

407

408 *****COMMITTEE INSERT*****

409

410 *The Chairman. And without objection, the bill is
411 considered as read, and open for amendment at any point.

412 I know that before we -- there is an ANS, but before we
413 get to that, are there any members seeking recognition to
414 speak on the underlying bill?

415 And again, members participating remotely, a reminder to
416 use the raise hand feature to seek recognition, and to use
417 the lower hand feature after you have been recognized.

418 Is there anyone that wants to speak?

419 *Mr. Doyle. Mr. Chairman?

420 *The Chairman. Yes? Mr. Doyle is recognized to strike
421 the last word.

422 *Mr. Doyle. Mr. Chairman, I move to strike the last
423 word.

424 *The Chairman. The gentleman is recognized.

425 *Mr. Doyle. Mr. Chairman, I support this legislation
426 because it will improve our drinking water quality, ensure
427 our children's water is healthy, and provide good-paying
428 jobs. Importantly, the bill will help get the lead out of
429 our communities by extending testing in schools and child
430 care facilities, by helping schools replace lead water
431 fountains, and by providing robust funding for lead service
432 line replacement.

433 Lead pipes have been a real problem in Pittsburgh and
434 other cities across the country for too long. This bill

435 makes significant investments in finally making lead in our
436 water a thing of the past. The provisions in this bill will
437 not only make our drinking water safer, they will create
438 thousands of good-paying jobs, both in construction and in
439 manufacturing, through its strong Buy America provisions.

440 We must invest in insuring all Americans have safe and
441 affordable drinking water, and for that reason I support this
442 legislation and urge my colleagues to support it, as well,
443 and I yield back.

444 *The Chairman. I thank the gentleman from Pennsylvania.
445 Now, again, we are going based on seniority in, you
446 know, back and forth between parties.

447 Anybody on the Republican side, in person or virtually?

448 On the Democratic side we go now to the gentlewoman from
449 Florida. Ms. Castor is recognized for five minutes.

450 *Ms. Castor. Well, thank you very much. I move to
451 strike the last word.

452 *The Chairman. The gentlewoman is recognized.

453 *Ms. Castor. Thank you, Mr. Chairman. I want to thank
454 you and Chairman Tonko very much for pushing this bill
455 forward, H.R. 3291.

456 This is vitally important, because we have really
457 falling behind in our Federal responsibility to shore up our
458 water systems across the country. Local communities like
459 mine in the Tampa Bay area, in the State of Florida, we

460 cannot keep up with the backlog. We have such huge needs to
461 repair, replace, modernize our entire water systems. So
462 thank you very much. This will help our local communities.

463 It also helps address resilience. We know, with the
464 rising costs and the impacts of the climate crisis, our water
465 systems are under great stress. And last year, when the
466 Select Committee on the Climate Crisis made a set of
467 recommendations, some of our recommendations included
468 strengthening the nation's drinking water infrastructure
469 against natural hazards and climate impacts.

470 We also recommended that we upgrade wastewater and
471 drinking water systems, provide support, especially to
472 frontline communities and working-class households, and that
473 we strengthen the resilience of our schools. So this bill --
474 thank you very much for heeding those recommendations. This
475 is very important legislation that I recommend to our
476 colleagues we pass it onto the floor of the House.

477 Thank you, I yield back.

478 *The Chairman. I thank the gentlewoman.

479 Anyone on the Republican side, virtually or otherwise?

480 Oh, Ms. Eshoo is with us virtually. Recognized for five
481 minutes, the gentlewoman from California, Ms. Eshoo.

482 *Ms. Eshoo. Thank you, Mr. Chairman. This is an issue
483 that is one of the basic necessities of life: water. And
484 over the years of our committee, there are so many members

485 that -- and representing rural areas in our country -- speak
486 up, obviously, on behalf of their rural areas. Believe it or
487 not, in my Silicon Valley district, I have rural areas.

488 We have spoken about the needs in rural areas for
489 broadband, the needs in rural areas for better health care,
490 the need in rural areas for a whole variety of shortcomings
491 for people in rural areas. Water, and access to clean water,
492 is one of them. And that is what this bill, to me, really
493 represents, very important help for people that live in rural
494 areas.

495 The American Society of Civil Engineers recently gave
496 our country's drinking water infrastructure a C-minus grade.
497 I don't think any of us accept that. In this great country,
498 C-minus?

499 We have -- well, let me just tell you what I have in my
500 district. And I know that my Republican friends are worried
501 about spending money on this. In my district I have a water
502 district that serves just under 8,000 customers in the rural
503 area of the Santa Cruz Mountains. Last year's wildfires
504 caused \$11 million in damages to that water system,
505 destroying over 7 miles of water pipes, and leaving hundreds
506 of residents without safe drinking water for more than a
507 month. Now, customers in that water district, if you start
508 doing the math of \$11 million in damages, and ask the
509 customers to pick up the tab for that -- less than 8,000 of

510 them? It can't be done, it simply can't be done.

511 So whether it is the example of what I am sharing with
512 all of you, to contaminated water supplies because of pipes
513 that are so old that they are seeping lead into the water
514 supply -- we are not a third-world country, and I don't think
515 any of us aspire to be one. But these conditions are simply
516 not acceptable.

517 This water legislation is very, very important. It is
518 critically important. So, for all of the members that
519 represent rural areas, I don't think it matters whether we
520 are Republicans or Democrats. We have to answer to the
521 people that are served by those water districts. And so I
522 think that the support is really vital for all the reasons
523 that I just stated. There are many others, and members are
524 speaking to them.

525 The CDC, my colleagues, has noted that providing safe
526 drinking water was one of the most important public health
527 achievements of the 20th century. So I pose the question:
528 what, in the 21st century, are we going to roll back? I
529 think that we have to -- I think that we need to upgrade.

530 And they also warned that aging infrastructure increases
531 the likelihood of contamination that can carry waterborne
532 illnesses. So the -- this legislation provides the --
533 really, the critically necessary investments to move us
534 forward.

535 The need is there. I have described what is happening
536 in a part of my district in the rural area. You all have
537 them in yours. This is on both sides of the aisle. So are
538 we going to go home and say, you know, "Sorry this happened
539 to you, there is nothing we can do about it''? I don't think
540 so.

541 We know that we can do better, and we must. I am very
542 grateful to the subcommittee coming up with this legislation,
543 because it really speaks to the need, and it carries the
544 solution with it.

545 So I thank the chairman for yielding time to me, and I
546 yield back.

547 *The Chairman. I thank the gentlewoman. I don't -- oh,
548 Dr. Bucshon is recognized for five minutes to strike the last
549 word.

550 *Mr. Bucshon. I move to strike the last word. I am
551 going to be brief.

552 The Federal Government can't solve every problem. And
553 this is another instance where, although I agree we need to
554 invest in this type of infrastructure, for decades and
555 decades across the country, really, we are allowing local
556 leaders, state leaders off the hook. A lot of these things
557 can be done at the local level, in my view, with Federal
558 support. But the more we continue on every issue to allow
559 leaders across this country to punt to Washington, D.C. for a

560 solution, the more problems we are going to continue to have,
561 and also the more loss of local control of our communities
562 that we are going to continue to experience.

563 So even though I am supportive of investment in a lot of
564 these areas, I do think that we need to consider the fact
565 that decades of inaction locally, and at the state level in
566 some of our communities should not result in Federal
567 taxpayers footing the bill, and punting all of this to
568 Washington, D.C. on every issue. And this is just another
569 one of those. I --

570 *Ms. Castor. Will the gentleman yield?

571 *Mr. Bucshon. I will yield.

572 *Ms. Castor. I thank the gentleman for yielding.

573 I served as a county commissioner before I was elected
574 to the U.S. Congress. And I absolutely agree that local
575 officials have a huge responsibility when it comes to water
576 and wastewater. But here, according to the Congressional
577 Research Service, the Federal Government's share of capital
578 investment has fallen from 63 percent in 1977 to 9 percent in
579 2017. So --

580 *Mr. Bucshon. Yes, I reclaim my time. I think that is
581 a --

582 *Ms. Castor. That is --

583 *Mr. Bucshon. I think that is fair. And I am -- again,
584 I am not arguing that we don't need to invest, federally, in

585 our infrastructure. I am just saying that do we -- on every
586 subject, do we need to allow -- or do we need to subvert
587 local public officials, state officials on every issue to the
588 Federal Government? We are doing that in health care. It is
589 moving down that pathway. We are doing that here.

590 Again, one of the things that the Federal Government
591 should provide is infrastructure. But there are some areas
592 of infrastructure that I would argue have been neglected
593 locally and in states for decades. And now everyone wants us
594 to bail all that out with Federal taxpayer dollars. We just
595 can't continue to do that on every issue.

596 *Ms. Eshoo. Will the gentleman yield?

597 *Mr. Bucshon. So with that, Mr. -- I will yield.

598 *Ms. Eshoo. I thank the gentleman, and that you are.

599 I think it is important to note that two-thirds today is
600 -- funding for this infrastructure is paid for by states and
601 local entities, two-thirds. So this is not a takeover of the
602 Federal Government of those responsibilities.

603 I, too, served in local government for 10 years in the
604 County Board of Supervisors. I know what these small water
605 districts represent, and what I did there, and the state's
606 participation, as well. So two-thirds, Dr. Bucshon, today --

607 *Mr. Bucshon. Fair enough.

608 *Ms. Eshoo. -- are picked up by state and local. And
609 thank you for yielding.

610 *Mr. Bucshon. You are welcome. I reclaim my time. But
611 whether it is education, whether it is health care, or other
612 issues, in my view, and even in the last 10 years that I have
613 been here in Congress, we are continually allowing across our
614 country things to be ran up to the Federal level. And my
615 argument is that there are some areas that that is
616 appropriate, but in many areas, local officials of both
617 political parties need to be held accountable for the things
618 that they do that result in us, at the Federal level, needing
619 to address issues that I feel could be addressed more at the
620 local level. I yield back.

621 *The Chairman. I thank the gentleman.

622 I think we have more speakers. The gentlewoman from
623 Illinois, Ms. Schakowsky, is recognized to strike the last
624 word.

625 *Ms. Schakowsky. Yes, I strike the last word. Thank
626 you, Mr. Chairman.

627 So, you know, Congresswoman Eshoo said that clean water
628 is a basic necessity. But I think, in the richest country in
629 the world, it is also a human right that we need to do -- to
630 take care of. And I was so proud to vote for all the three
631 bills in the subcommittee, and very anxious to see this move
632 all the way through the process.

633 And I have a particular concern -- I raised it at the
634 subcommittee -- on lead in water. And we know that in

635 Illinois, 680,000 people deal with -- families -- buildings
636 deal with lead service lines. And lead can cause permanent,
637 irreversible damage, especially to children, and affect their
638 brains for their lifetime.

639 And in Chicago I represent a part of Chicago that is
640 really my hometown, 400,000 lead service lines. Now, one
641 could say that Chicago and Illinois needs to step up. And
642 actually, the state legislature did do that in the last
643 session. But the kind -- the scope is so big right now, that
644 we need Federal help to address this. And this is a really
645 urgent crisis.

646 And it just seems to me that, no matter where people
647 live, it is not just a problem for low-income communities or
648 communities of color. We, all over the country, have aging,
649 underground water systems in all communities, and those
650 communities are becoming aware of the problem, and are
651 needing help. And if anything is a worthwhile investment,
652 making sure that Americans everywhere have clean water, safe
653 water, water that you are not worried is going to make your
654 children sick or yourself sick, that it is dangerous to turn
655 on the faucet -- this is America. We can do better, and we
656 should do better.

657 These bills bring us closer to the realization, and I
658 hope that we can get bipartisan support in the full
659 committee. And I yield back.

660 *The Chairman. I thank the gentlewoman.

661 Is there anyone on the Republican side, virtually or
662 otherwise?

663 I saw -- Mr. Soto? Mr. Soto is recognized for five
664 minutes.

665 *Mr. Soto. Thank you, Chairman.

666 When President Biden won, he promised to build back
667 better, and put forward the American Jobs Plan to do just
668 that. And that is why we are here today.

669 Water infrastructure goes through this committee. This
670 is our responsibility. Our drinking water infrastructure
671 system is graded at a C-plus. Really? In the most
672 prosperous country in the world, that is the best we can do?
673 Of course not.

674 The Clean Water Act makes clean water an American right.
675 Yet from Flint, Michigan to St. Cloud, Florida, in my
676 district, we see water still polluted. And it requires
677 greater investments to ensure this right is for all Americans
678 for another generation. And that is why, in the AQUA Act, we
679 are investing 53 billion for the Drinking Water State
680 Revolving Fund; 45 billion to replace lead service lines; and
681 5 billion for assistance to -- for PFAS contamination. It is
682 the right thing to do.

683 But as importantly, it will save countless costs
684 associated with health issues that happen when Americans

685 don't have clean water. Imagine your family member, your
686 child or your grandchild, your constituent drinking lead-
687 poisoned or other polluted water every day throughout their
688 childhood. What kind of future is that child going to have?
689 They could have mental issues. They could have health
690 issues. And are they really going to help us continue to be
691 the greatest nation in the world, if they can't even have
692 clean water growing up? Of course not. And then we will
693 have to care for them through our health systems.

694 This is an investment in the future. And it will also
695 create high-paying construction jobs in the process. I urge
696 all of my colleagues to get with it. Let's make bipartisan
697 infrastructure investments, and let's build back better.

698 And I yield back.

699 *The Chairman. I thank the gentleman.

700 Is there anyone who wants to speak on the underlying
701 bill remaining?

702 I don't think so. All right, then we will move to the
703 ANS.

704 I would recognize Mr. Tonko to offer an amendment in the
705 nature of a substitute, and the clerk will report the
706 amendment.

707 *The Clerk. Amendment in the nature of a substitute to
708 the committee print for H.R. 3291, offered by Mr. Tonko of
709 New York.

710 *The Chairman. Without objection, the reading of the
711 amendment will be dispensed with.

712 [The amendment of Mr. Tonko follows:]

713

714 *****COMMITTEE INSERT*****

715

716 *The Chairman. And Mr. Tonko is recognized for five
717 minutes.

718 *Mr. Tonko. Thank you, Mr. Chair.

719 I know I am not alone when I hear concerns from my
720 constituents and the local governments in my district about
721 their water infrastructure challenges. Our water systems,
722 like much of our nation's infrastructure, are suffering from
723 decades of neglect and underfunding.

724 In recent years this committee has worked to increase
725 authorization levels for several key water programs, and the
726 AQUA Act would continue to build upon this success. This
727 bill would extend the Drinking Water System Resilience
728 Funding Program, the Indian Reservation Drinking Water
729 Program, the public water system supervision grants to
730 states, assistance to colonias, grants for school and
731 childcare lead testing, and replacements of school drinking
732 water fountains that may contain lead. It authorizes
733 significant increases in funding for the Drinking Water State
734 Revolving Fund, and it establishes several new programs,
735 including a \$45 billion investment to replace lead service
736 lines, Congresswoman Clark's amendment at subcommittee to
737 install and maintain filtration systems at schools, and a
738 grant program to address PFAS contamination.

739 Title two of the bill addresses EPA's broken standard-
740 setting program. We now have 25 years of evidence that the

741 approach established in the 1996 amendments has not worked.
742 I know some would rather not discuss standard-setting, but we
743 cannot continue to divorce the issues of water systems
744 needing more infrastructure dollars from EPA, needing
745 stronger authorities to protect public health, and set
746 minimum safety standards.

747 The AQUA Act directs EPA to set health protective
748 standards for PFAS, one for dioxane, and microcystin toxin
749 for within two years. And it prevents EPA from setting
750 standards that are weaker than what is feasible based on cost
751 considerations.

752 Finally, title 3 seeks to address the affordability
753 challenges that have occurred since the start of the
754 pandemic. The AQUA Act authorizes \$4 billion to reduce or
755 eliminate customer debt incurred since March of 2020, and
756 prohibits water systems receiving this funding from
757 disconnecting the service of eligible residential customers
758 as a result of non-payment for a five-year period. This
759 language was incorporated from H.R. 3292, the Water Debt
760 Relief Act, introduced by Representatives Dingell and Tlaib.

761 The amendment in the nature of a substitute makes
762 several changes to the bill advanced by the subcommittee,
763 based on feedback received from stakeholders, including water
764 utilities. It clarifies that the limitation on private owner
765 contributions for lead line replacements refers only to

766 projects receiving funding under this program.

767 The ANS also makes a change to the PFAS grants program
768 to allow the administrator to determine eligible treatment
769 technology based on which are most effective for removing
770 PFAS from drinking water. PFAS grants will also now
771 prioritize aquifers that are the sole or principal drinking
772 water source for an area.

773 And finally, the ANS requires recipients of lead service
774 line replacement funding to submit a plan to replace all the
775 lines within their systems within 10 years. This is not too
776 dissimilar from a concept included in Republican-sponsored
777 lead line replacement legislation, which was the subject of a
778 legislative hearing in the subcommittee last month.

779 Mr. Chair, I want to thank you for including this bill
780 at today's markup. We know our water systems need these
781 infrastructure dollars, and our constituents deserve to have
782 safe, reliable, and affordable water, free from lead, free
783 from PFAS and other dangerous contaminants. The AQUA Act
784 could go a long way to making that hope a reality.

785 With that, I encourage members to support the ANS.

786 Mr. Chair, I yield back.

787 *The Chairman. Thank you, Chairman Tonko. So we will
788 have -- if anyone wants to make a statement on the ANS, we
789 will do that first, and then we will go to amendments,
790 partisan amendments to the ANS. Does anyone want -- on the

791 Republican side want to speak on the ANS?

792 All right, well, I am going to say something. I
793 recognize -- I move to strike the last word to speak in
794 support of the amendment in the nature of a substitute.

795 The AQUA Act authored by Chairman Tonko would provide
796 robust Federal investments for drinking water infrastructure,
797 including funding to replace lead service lines, remove PFAS
798 from drinking water, and improve resiliency. And these
799 investments are a critical part of our infrastructure work,
800 and can play an important role in building back our economy.
801 They are also a critical part of our pursuit of environmental
802 justice, because we need to do much more to ensure equal
803 access to safe water and a healthy environment. And they are
804 just one component of this important bill.

805 The safety title of this bill would set deadlines for
806 needed drinking water standards, while ensuring those
807 standards are strong enough to protect vulnerable populations
808 in communities that bear a disproportionate burden of
809 environmental pollution. That title will also strengthen the
810 Safe Drinking Water Act for all contaminants, ensuring that
811 health protection matters more than cost benefit when we
812 decide how to clean our water.

813 And then, at last week's subcommittee markup, we heard
814 some misleading claims about this change. So I did want to
815 take a little time to address them. Well, I think they are

816 misleading.

817 Under current law EPA must drinking water standards as
818 close to the health protection goal as feasible, taking cost
819 into consideration, with two exceptions. The first exception
820 is where setting such a protective standard for one
821 contaminant would undermine protections against other
822 contaminants, or undermine other treatment techniques. That
823 exception appears in paragraph five of the statutory section,
824 and would not be touched by this bill.

825 But the second exception, in paragraph six, is for when
826 the administrator determines, at their discretion, that the
827 benefits of the standard do not justify the cost. And this
828 is the exception that the bill before us would repeal. And
829 this bill would repeal it for several reasons: first,
830 because cost is already considered when determining whether
831 the standard is feasible; second, because the public relies
832 on the Safe Drinking Water Act to protect their health; and
833 finally, because cost benefit analysis is a flawed tool, in
834 my opinion, that undervalues the health and well-being of
835 people, generally, but especially low-income communities and
836 communities of color.

837 So we heard last week that this change would have
838 Washington set a one-size-fits-all standard that might not be
839 right for rural systems, but I don't think that is true. The
840 Safe Drinking Water Act sets a national minimum standard of

841 protection, because rural Americans deserve health
842 protections as much as anyone else. And that would be true
843 whether this bill is adopted or not. Municipalities that
844 want to go beyond the minimum, or states that want to set
845 stricter standards are free to do so. And this bill will
846 simply ensure that the national minimum standard is
847 protected.

848 We also heard last week that this change would increase
849 levels of other contaminants. And I think my colleagues -- I
850 think we are conflating the paragraph five exception, which
851 would remain unchanged, with the paragraph six exception,
852 which would be removed. And the AQUA Act does not touch the
853 provision allowing EPA to change the standard because of the
854 concerns about other contaminants.

855 Now, we also heard last week that cost must be the
856 controlling factor for drinking water safety, because our
857 cities and towns are facing a zero sum game, and any spending
858 on water quality will have to come out of the budget for
859 other necessities like, for example, hiring teachers. But I
860 don't think that is true, as well.

861 I think that is a false choice, first, because water
862 systems are supported by ratepayers and, second, because both
863 drinking water bills we are moving today would provide
864 generous and sustained financial support for water systems.
865 So they would provide tens of billions of dollars for

866 infrastructure improvement, billions for the purchase and
867 installation of new treatment technology, billions to pay off
868 outstanding customer debt, and billions to subsidize water
869 rates through permanent, low-income customer assistance
870 programs.

871 So, you know, I know that my Republican colleagues are
872 concerned about the cost of delivering safe water across the
873 country, but I would urge them to support these bills, rather
874 than relying on cost benefit to block health protective
875 standards. So, again, I urge my colleagues to support the
876 ANS and the bill.

877 I don't know that I am convincing anybody here, but I
878 wanted to at least set forth my response to some of the
879 arguments that were raised last week. And with that, I yield
880 back.

881 And if anybody else would like to speak on the
882 underlying bill, if -- oh, Ms. Clarke, the vice -- no, she is
883 not the vice chair, that is Robin now. Ms. Clarke from New
884 York is virtual.

885 Would you like to -- I will yield to you to strike the
886 last word for five minutes.

887 *Ms. Clarke. Thank you, Mr. Chairman, and let me also
888 thank both you and Chairman Tonko for your combined
889 leadership on this important legislation.

890 H.R. 3291, the AQUA Act, is a major step towards

891 ensuring that our nation's drinking water is safe and
892 affordable for all communities. Among its many provisions,
893 the bill provides crucial funding to address lead
894 contamination in drinking water. This is an issue that has
895 disproportionately impacted communities of color and low-
896 income communities from Flint, Michigan to Newark, New
897 Jersey.

898 And the legislation takes important steps to ensure that
899 these overburdened communities are prioritized as we seek to
900 remediate issues of lead contamination. Lead contamination
901 in drinking water is particularly dangerous to the health of
902 young children. Even at very low levels lead can cause
903 irreversible damage to developing brains and nervous systems.
904 All too often this can result in harmful effects, from
905 learning disabilities to -- and in the most severe cases,
906 coma and even death.

907 Once again, Black children have been -- have borne the
908 brunt of this crisis. Across the nation, studies have found
909 that they are almost three times more likely to have highly
910 elevated levels of lead in their blood stream.

911 And unfortunately, our nation's schools, which ought to
912 be safe havens for children, are frequently the primary
913 pathway by which children are exposed to examination in their
914 drinking water. This is why I proposed an amendment last
915 week during our subcommittee markup that would establish a

916 new program at EPA to support the installation of filtered
917 water fountains and refill stations at schools and childcare
918 programs across the nation. These water stations will take
919 advantage of the most up-to-date filtration technology to
920 almost entirely remove lead from drinking water, no matter
921 where the exact source of lead contamination may be.

922 My amendment, which is now part of the underlying bill,
923 prioritizes the underfunding and disadvantaged schools that
924 need this assistance most, ensuring that children who have
925 suffered disproportionately from contaminated drinking water
926 are among the first to receive much-needed upgrades.
927 Filtered water stations are a cost-effective solution that
928 will keep our children safe, as schools and childcare
929 facilities continue the important but expensive work of
930 updating their plumbing systems.

931 During last week's markup, some of my colleagues from
932 the other side of the aisle noted the cost of this new
933 program as a reason to not vote for my amendment. But let's
934 be clear that what we are talking about here, the cost of
935 this program, \$50 million a year over the next 10 years to
936 assist with the purchasing and maintenance of filtration
937 stations, is the equivalent of just \$1 million per year for
938 each state. Put another -- put it another way. This is less
939 than \$1 a year for every child in the United States, one
940 single dollar per child per year to ensure that our children

941 are safe from the harmful health impacts of lead
942 contamination in their drinking water.

943 And so I ask my colleagues again, what does it say about
944 our priorities if we are not willing to provide this funding
945 to keep our children safe?

946 The health and well-being of our children and our
947 communities depend on us taking bold steps right now to
948 eliminate lead contamination in drinking water. I urge my
949 colleagues to support this legislation and demonstrate that
950 Congress is serious about making drinking water affordable
951 and safe for all communities.

952 Let me once again thank Chairman Tonko and Chairman
953 Pallone for their outstanding leadership on the AQUA Act.
954 And I look forward to sending it to the House floor.

955 With that, Mr. Chairman, I yield back the balance of my
956 time.

957 *The Chairman. I thank the gentlewoman.

958 Does anyone else want to speak on the ANS before we go
959 to amendments to the ANS?

960 Anyone on either side? Anyone virtually?

961 All right. So now we will entertain amendments to the
962 ANS.

963 *Mrs. Rodgers. Mr. Chairman?

964 *The Chairman. I recognize the ranking member.

965 *Mrs. Rodgers. I have an amendment at the desk.

966 *The Chairman. The clerk will -- does the clerk have
967 the amendment?

968 *The Clerk. What is the title?

969 *Mrs. Rodgers. The title is EWFFF amendment to AQUA Act
970 -- oh, seven, committee seven.

971 *The Clerk. Yes.

972 *The Chairman. You have it?

973 *The Clerk. Mm-hmm.

974 *The Chairman. All right, the clerk will report the
975 Rodgers amendment.

976 *The Clerk. Substitute for the amendment in the nature
977 of a substitute to the committee print for H.R. 3291, offered
978 by Mrs. Rodgers of Washington.

979 *The Chairman. Without objection, the reading of the
980 amendment will be --

981 *Mr. Tonko. Mr. Chair? I wish to reserve a point of
982 order.

983 *The Chairman. The gentleman reserves of point of
984 order.

985 And without objection, the reading of the amendment will
986 be dispensed with, and the gentlewoman, the ranking member,
987 is recognized to speak in favor of her amendment.

988 *Mrs. Rodgers. Thank you, Mr. Chairman.

989 As I said in my opening statement, there are some parts
990 of this legislation that I agree with. My amendment is

991 focused on the policy that we agree on. It would include
992 most of the drinking water funding for the Future Act, that
993 Ranking Member McKinley and I introduced last month, that
994 extends a successful downpayment made in the 2018 bipartisan
995 America's Water Infrastructure Act.

996 This amendment promotes drinking water compliance and
997 purchasing power, advances innovation in this sector, and
998 prepares drinking water systems to smartly face terrorism and
999 resilience challenges.

1000 This amendment reauthorizes the Drinking Water Revolving
1001 Loan Fund at 1.9 billion per year for 5 years. The Drinking
1002 Water Revolving Loan funding is the main Federal drinking
1003 water funding program. It helps defray the cost of Federal
1004 mandates, but also provides funding for many other drinking
1005 water programs. The authorization in this amendment is 870
1006 million more than Congress provided this program in the last
1007 annual appropriations.

1008 This amendment extends the grants for assessing risk
1009 from terrorism, including cybersecurity, and resilience to
1010 national -- or natural hazards by community water systems.

1011 This amendment authorizes 10 million annually for
1012 technical assistance to public water systems for innovative
1013 water technologies. It authorizes 125 million annually to
1014 fund states implementing and enforcing Safe Drinking Water
1015 Act standards. These grants also assist states providing

1016 technical assistance to water systems who struggle with
1017 compliance.

1018 Because I support evidence-based decisions and using
1019 objective science, this amendment authorizes 10 million
1020 annually for EPA programs to monitor unregulated drinking
1021 water contaminants. This monitoring will help EPA understand
1022 how widespread these contaminants are in drinking water. It
1023 also will inform whether further Federal action is needed.

1024 To aid economically-distressed areas with lead pipes,
1025 this amendment authorizes 60 million annually to help
1026 communities finance activities to reduce the concentration of
1027 lead in their treated drinking water. This program gives
1028 priority to drinking water at daycare centers, schools, or
1029 other facilities serving children.

1030 This amendment uses an existing lead reduction program
1031 to address replacing lead service lines. Unlike the
1032 amendment in the nature of a substitute, funding would be
1033 targeted only towards helping those least able to afford
1034 repairs to their private lead service lines.

1035 This amendment also authorizes five million annually for
1036 monitoring, testing, and replacement of school water --
1037 school drinking water fountains containing lead components,
1038 placing a priority on funding to schools-based on economic
1039 need.

1040 Finally, this amendment authorizes funding for an EPA

1041 grant program to promote workforce development and career
1042 opportunities in the water utility sector. Grants can be
1043 used for onsite training, apprenticeship programs, and other
1044 educational activities for the sector.

1045 The one thing that I wanted this amendment to contain,
1046 but it does not, because of germaneness reasons, is the
1047 extension of the Water Infrastructure Financing and
1048 Innovation Act. This program should be extended.

1049 I am offering this amendment as a solution, because I
1050 cannot support the amendment in the nature of a substitute.
1051 I recognize that we have drinking water challenges in this
1052 country. I believe this amendment, like much of what is in
1053 title 1, is a reasoned way to address them.

1054 The rest of H.R. 3291 is focused on picking fights about
1055 how stringent the regulations will be, making rural systems
1056 use unaffordable technology, even if affordable alternatives
1057 exist, and stopping water utilities from collecting
1058 delinquent debts for another five years, including from the
1059 wealthy.

1060 Even though they actually would benefit from higher
1061 authorizations, all of the major drinking water utilities
1062 oppose the AQUA Act. I think that is a signal that the bill
1063 is problematic.

1064 I do understand that some of my colleagues want to spend
1065 a lot more on these programs, but I feel that we need more

1066 information before considering duplicative and expensive new
1067 programs that may not drive results.

1068 I urge support for this amendment.

1069 *The Chairman. I thank the gentlewoman, and I will
1070 strike the last word to speak in opposition to the Rodgers
1071 amendment.

1072 I appreciate that my Republican colleagues are willing
1073 to support extending the drinking water infrastructure
1074 programs, included in the AQUA Act, and that is certainly a
1075 start, but it is not enough, in my opinion.

1076 This amendment won't provide the funding needed to
1077 revitalize our crumbling infrastructure and create jobs. It
1078 won't replace the lead service lines, nationwide. It won't
1079 support water treatment to remove PFAS, and it won't address
1080 our water debt crisis. And it also won't improve the
1081 standard-setting process under the Safe Drinking Water Act to
1082 ensure safer waters. So I just think we can and should do
1083 more, which is why we have the underlying bill.

1084 And so I would urge my colleagues to oppose the Rodgers
1085 amendment, and support the ANS and the underlying bill.

1086 Does anyone else want to speak on the Rodgers amendment,
1087 on either side, virtually or otherwise?

1088 All right, then we will move to a vote. Let's see where
1089 we are here.

1090 All those in favor of the Rodgers amendment will signify

1091 by saying aye.

1092 And all those opposed will signify by saying no.

1093 The gentlewoman wants a recorded vote, and a recorded
1094 vote is ordered.

1095 Those in favor of the amendment will say aye; those
1096 opposed to the amendment will say no.

1097 And let me just remind everyone, again, if you could
1098 say, you know, Frank Pallone of New Jersey votes a certain
1099 way, the clerk shall call the roll.

1100 *The Clerk. Mr. Rush?

1101 *The Chairman. Now, for those members who are remote,
1102 you know, remember, you have to unmute to say how you are
1103 being -- how you are voting.

1104 Mr. Rush?

1105 *Mr. Rush. Rush of Illinois votes aye.

1106 *The Chairman. Thank you.

1107 *The Clerk. Mr. Rush votes aye.

1108 *Mr. Rush. I am --

1109 *The Clerk. Ms. Eshoo?

1110 *Mr. Rush. Change that.

1111 *Ms. Eshoo. Is this on the ANS, Mr. Chairman?

1112 *The Chairman. No, I am sorry. Maybe we should start
1113 over again. I don't want to confuse everybody.

1114 This is the Rodgers amendment, the Republican substitute
1115 to the ANS.

1116 *Mr. Rush. That said, Rush --

1117 *Ms. Eshoo. Anna Eshoo votes no.

1118 *Mr. Rush. Rush of Illinois --

1119 *The Chairman. All right, Ms. Eshoo votes no, and Mr.

1120 Rush, you want -- what did you say? You want to correct it?

1121 *Mr. Rush. Rush votes --

1122 *The Chairman. Go ahead.

1123 *Mr. Rush. -- no.

1124 *The Chairman. Okay.

1125 *The Clerk. Mr. Rush votes no.

1126 Ms. Eshoo votes no.

1127 Ms. DeGette?

1128 *Ms. DeGette. No.

1129 *The Clerk. Ms. DeGette votes no.

1130 Mr. Doyle?

1131 *Mr. Doyle. No.

1132 *The Clerk. Mr. Doyle votes no.

1133 Ms. Schakowsky?

1134 *Ms. Schakowsky. Schakowsky votes no.

1135 *The Clerk. Ms. Schakowsky votes no.

1136 Mr. Butterfield?

1137 *Mr. Butterfield. Butterfield votes no.

1138 *The Clerk. Mr. Butterfield votes no.

1139 Ms. Matsui?

1140 [No response.]

1141 *The Clerk. Ms. Castor?

1142 *Ms. Castor. Ms. Castor votes no.

1143 *The Clerk. Ms. Castor votes no.

1144 Mr. Sarbanes?

1145 *Mr. Sarbanes. Mr. Sarbanes votes no.

1146 *The Clerk. Mr. Sarbanes votes no.

1147 Mr. McNerney?

1148 *Mr. McNerney. McNerney votes no.

1149 *The Clerk. Mr. McNerney votes no.

1150 Mr. Welch?

1151 [No response.]

1152 *The Clerk. Mr. Tonko?

1153 *Mr. Tonko. Tonko of New York votes no.

1154 *The Clerk. Mr. Tonko votes no.

1155 Ms. Clarke?

1156 *Ms. Clarke. Ms. Clarke of New York votes no.

1157 *The Clerk. Ms. Clarke votes no.

1158 Mr. Schrader?

1159 *Mr. Schrader. Mr. Schrader votes no.

1160 *The Clerk. Mr. Schrader votes no.

1161 Mr. Cardenas?

1162 *Mr. Cardenas. Cardenas of California votes no.

1163 *The Clerk. Mr. Cardenas votes no.

1164 Mr. Ruiz?

1165 *Mr. Ruiz. Ruiz from California votes no.

1166 *The Clerk. Mr. Ruiz votes no.
1167 Mr. Peters?
1168 *Mr. Peters. Peters votes no.
1169 *The Clerk. Mr. Peters votes no.
1170 Mrs. Dingell?
1171 *Mrs. Dingell. [Inaudible.]
1172 *The Clerk. Mrs. Dingell votes no.
1173 Mr. Veasey?
1174 [No response.]
1175 *The Clerk. Ms. Kuster?
1176 *Ms. Kuster. Kuster votes no.
1177 *The Clerk. Ms. Kuster votes no.
1178 Ms. Kelly?
1179 [No response.]
1180 *The Clerk. Ms. Barragan votes no. Or, Ms. Barragan?
1181 *Ms. Barragan. Ms. Barragan votes no.
1182 *The Clerk. Ms. Barragan votes no.
1183 Mr. McEachin?
1184 *Mr. McEachin. Mr. McEachin votes no.
1185 *The Clerk. Mr. McEachin votes no.
1186 Ms. Blunt Rochester?
1187 *Ms. Blunt Rochester. Ms. Blunt Rochester of Delaware
1188 votes no.
1189 *The Clerk. Ms. Blunt Rochester votes no.
1190 Mr. Soto?

1191 *Mr. Soto. Soto votes no.
1192 *The Clerk. Mr. Soto votes no.
1193 Mr. O'Halleran?
1194 *Mr. O'Halleran. O'Halleran votes no.
1195 *The Clerk. Mr. O'Halleran votes no.
1196 Miss Rice?
1197 *Miss Rice. Rice votes no.
1198 *The Clerk. Miss Rice votes no.
1199 Ms. Craig?
1200 *Ms. Craig. Ms. Craig votes no.
1201 *The Clerk. Ms. Craig votes no.
1202 Ms. Schrier?
1203 *Ms. Schrier. Schrier votes no.
1204 *The Clerk. Ms. Schrier votes no.
1205 Mrs. Trahan?
1206 *Mrs. Trahan. Trahan votes no.
1207 *The Clerk. Mrs. Trahan votes no.
1208 Mrs. Fletcher?
1209 *Mrs. Fletcher. Fletcher votes no.
1210 *The Clerk. Mrs. Fletcher votes no.
1211 Mrs. Rodgers?
1212 *Mrs. Rodgers. Mrs. Rodgers votes aye.
1213 *The Clerk. Mrs. Rodgers votes aye.
1214 Mr. Upton?
1215 *Mr. Upton. Upton votes aye.

1216 *The Clerk. Mr. Upton votes aye.
1217 Mr. Burgess?
1218 [No response.]
1219 *The Clerk. Mr. Scalise?
1220 *Mr. Scalise. [Inaudible.]
1221 *The Clerk. Mr. Scalise votes aye.
1222 Mr. Latta?
1223 *Mr. Latta. Latta votes aye.
1224 *The Clerk. Mr. Latta votes aye.
1225 Mr. Guthrie?
1226 *Mr. Guthrie. Guthrie votes aye.
1227 *The Clerk. Mr. Guthrie votes aye.
1228 Mr. McKinley?
1229 *Mr. McKinley. McKinley votes aye.
1230 *The Clerk. Mr. McKinley votes aye.
1231 Mr. Kinzinger?
1232 [No response.]
1233 *The Clerk. Mr. Griffith?
1234 [No response.]
1235 *The Clerk. Mr. Bilirakis?
1236 *Mr. Bilirakis. Bilirakis votes aye.
1237 *The Clerk. Mr. Bilirakis votes aye.
1238 Mr. Johnson?
1239 *Mr. Johnson. Johnson from Ohio votes aye.
1240 *The Clerk. Mr. Johnson votes aye.

1241 Mr. Long?

1242 *Mr. Long. Aye.

1243 *The Clerk. Mr. Long votes aye.

1244 Mr. Bucshon?

1245 *Mr. Bucshon. Bucshon from Indiana votes aye.

1246 *The Clerk. Mr. Bucshon votes aye.

1247 Mr. Mullin?

1248 *Mr. Mullin. Mullin votes aye.

1249 *The Clerk. Mr. Mullin votes aye.

1250 Mr. Hudson?

1251 *Mr. Hudson. Hudson votes aye.

1252 *The Clerk. Mr. Hudson votes aye.

1253 Mr. Walberg?

1254 *Mr. Walberg. Walberg votes aye.

1255 *The Clerk. Mr. Walberg votes aye.

1256 Mr. Carter?

1257 *Mr. Carter. Carter votes aye.

1258 *The Clerk. Mr. Carter votes aye.

1259 Mr. Duncan?

1260 *Mr. Duncan. Aye.

1261 *The Clerk. Mr. Duncan votes aye.

1262 Mr. Palmer?

1263 *Mr. Palmer. Aye.

1264 *The Clerk. Mr. Palmer votes aye.

1265 Mr. Dunn?

1266 *Mr. Dunn. Dunn votes aye.
1267 *The Clerk. Mr. Dunn votes aye.
1268 Mr. Curtis?
1269 *Mr. Curtis. Curtis votes aye.
1270 *The Clerk. Mr. Curtis votes aye.
1271 Mrs. Lesko?
1272 *Mrs. Lesko. Lesko votes aye.
1273 *The Clerk. Mrs. Lesko votes aye.
1274 Mr. Pence?
1275 *Mr. Pence. Pence votes aye.
1276 *The Clerk. Mr. Pence votes aye.
1277 Mr. Crenshaw?
1278 *Mr. Crenshaw. Crenshaw votes aye.
1279 *The Clerk. Mr. Crenshaw votes aye.
1280 Mr. Joyce?
1281 *Mr. Joyce. Joyce votes aye.
1282 *The Clerk. Mr. Joyce votes aye.
1283 Mr. Armstrong?
1284 [No response.]
1285 *The Clerk. Chairman Pallone?
1286 *The Chairman. Mr. Pallone from New Jersey votes no.
1287 *The Clerk. Chairman Pallone votes no.
1288 *The Chairman. Now, we did have some people who didn't
1289 respond --
1290 *Mr. Welch. How am I -- this is Congressman Welch. How

1291 am I recorded?

1292 *The Clerk. Mr. Welch is not recorded.

1293 *Mr. Welch. Mr. Welch votes no.

1294 *The Clerk. Mr. Welch votes no.

1295 *The Chairman. Anyone else who is either here in person
1296 or virtually who didn't vote?

1297 I will just give it a minute or two, because I don't
1298 want to miss anybody.

1299 If you -- even if you don't have your hand raised --
1300 well, we can hear you, if you mute.

1301 You want to just read back again the names of those who
1302 are not recorded, Madam Clerk?

1303 *The Clerk. Ms. Matsui, Mr. Veasey, Ms. Kelly, Mr.
1304 Burgess, Mr. Kinzinger, Mr. Griffith, and Mr. Armstrong.

1305 *The Chairman. All right. If -- I guess none of those
1306 are here.

1307 [Pause.]

1308 *The Chairman. Just give it a minute.

1309 [Pause.]

1310 *Mr. Carter. Mr. Chairman?

1311 *The Chairman. Yes. Mr. Carter?

1312 *Mr. Palmer. Palmer. I have a parliamentary inquiry.

1313 *The Chairman. Yes?

1314 *Mr. Palmer. As I understand it, the rules require that
1315 the members be -- who are remote be visible on the screen for

1316 votes.

1317 *The Chairman. Yes, but, I mean, there are a lot of --
1318 none of the people that are -- everybody is on the screen who
1319 voted. Are you talking about the people who didn't?

1320 *Mr. Palmer. No. As I understand it, the rules require
1321 that the members be visible on the screen when they vote.

1322 *The Chairman. That is correct.

1323 *Mr. Palmer. Are they visible only to the clerks, or
1324 are they visible to the committee?

1325 *The Chairman. I didn't hear what you said. Do you
1326 want to repeat --

1327 *Mr. Palmer. Are they visible to the clerks for
1328 recording their votes, or are they visible to the committee?

1329 *The Chairman. Visible to -- they are visible to me, I
1330 don't know -- they would be visible to anybody who has the
1331 computer. I can see them. I don't know -- what are you
1332 asking? I am confused.

1333 *Voice. Are they going to show up over here today?

1334 *The Chairman. Oh, you want them to be up there?

1335 *Mr. Palmer. No, they have to be visible in order for
1336 their votes to be recorded.

1337 *The Chairman. Yes, I am looking at the screen, and
1338 everyone who voted was on the screen.

1339 *Mr. Palmer. Were they visible to the clerks?

1340 *The Chairman. Do you see them?

1341 *The Clerk. We have a --

1342 *The Chairman. Oh, you have it, too. Yes, they are
1343 visible to the clerk.

1344 *Mr. Palmer. I yield back.

1345 *The Chairman. All right. All right, now, is there
1346 anybody that we missed that does want to vote?

1347 *Ms. Matsui. Mr. Chairman?

1348 *The Chairman. Ms. Matsui?

1349 *Ms. Matsui. Yes, I vote no.

1350 *The Chairman. Matsui is a no.

1351 *The Clerk. Ms. Matsui votes --

1352 *The Chairman. Mr. Armstrong?

1353 *The Clerk. Mr. Armstrong votes aye.

1354 *The Chairman. All right, anyone else on either side?
1355 All right, then we will -- the clerk will report the
1356 tally.

1357 *The Clerk. On that vote, Mr. Chairman, the yeas were
1358 30, and the nays were 23.

1359 *The Chairman. The ayes were 30, and the nays were?

1360 *The Clerk. Twenty-three.

1361 *The Chairman. Twenty-three. Is that accurate? This
1362 is on the Rodgers amendment, right?

1363 *The Clerk. Yes.

1364 *The Chairman. And there were 30 ayes and 23 noes?
1365 Isn't it the opposite?

1366 [Laughter.]

1367 *The Clerk. Oh, sorry, apologies. The yeas were --

1368 [Laughter.]

1369 *The Chairman. I am sorry, Madam Clerk.

1370 *The Clerk. The yeas were 23 and the nays were 30.

1371 *The Chairman. What is that, one more time?

1372 *The Clerk. The yeas were -- or the yeas were 23, and

1373 the nays were 30.

1374 *The Chairman. Oh, okay. Billy said get with the

1375 program.

1376 [Laughter.]

1377 *The Chairman. The vote on the Rodgers amendment is 23

1378 ayes to 30 noes, and the amendment is not agreed to.

1379 Are there further amendments --

1380 *Mr. Ruiz. Mr. Chairman?

1381 *The Chairman. -- to the amendment?

1382 *Mr. Ruiz. Mr. Chairman?

1383 *The Chairman. Yes. Who is that?

1384 *Mr. Ruiz. I have an amendment at the desk.

1385 *The Chairman. Oh, Mr. Ruiz? Yes, Mr. Ruiz, you have

1386 an amendment?

1387 *Mr. Ruiz. Yes, sir.

1388 *The Chairman. Do you have --

1389 *Mr. Ruiz. It is labeled AQUA --

1390 *The Clerk. Yes.

1391 *The Chairman. Madam Clerk has the amendment. The
1392 clerk will report the amendment.

1393 *The Clerk. Amendment to the amendment in the nature of
1394 a substitute to the committee print for H.R. 3291 --

1395 *The Chairman. Without objection, the reading of the
1396 Ruiz amendment will be dispensed with.

1397 [The amendment of Mr. Ruiz follows:]

1398

1399 *****COMMITTEE INSERT*****

1400

1401 *The Chairman. And the gentleman from California is
1402 recognized for five minutes in support of his amendment.

1403 *Mr. Ruiz. Thank you, Mr. Chairman. My amendment makes
1404 a very simple change to the Safe Drinking Water Act to give
1405 states the flexibility to ensure that additional
1406 disadvantaged communities can improve their drinking water
1407 systems.

1408 This amendment would increase the amount of money that
1409 states are able to provide to disadvantaged communities in
1410 the form of grants, forgivable loans, or other favorable
1411 financing mechanisms, from 35 percent to 40 percent of their
1412 state revolving fund. That is an extra \$55 million,
1413 nationwide. In my district this could mean that additional
1414 small community water systems may receive money to construct
1415 upgrades in order to provide access to safe, reliable, and
1416 clean drinking water.

1417 Under the Safe Drinking Water Act, the Federal
1418 Government funds the state revolving fund, which gives states
1419 the ability to provide loans and financing for priority
1420 drinking water projects. Current law allows states to use up
1421 to 35 percent of those funds to provide funding in the form
1422 of grants, rather than loans. This provision has been
1423 critical to helping low-income communities that don't have
1424 money to repay a loan, but who still need to increase access
1425 to clean water.

1426 Clean water is a right, and not a privilege for the few.
1427 No household should have to worry about the quality of their
1428 drinking water, because their community is unable to afford
1429 necessary upgrades.

1430 My amendment today would also bring the Safe Drinking
1431 Water Act in line with the Biden Administration's Justice40
1432 Initiative, which aims to deliver 40 percent of the benefits
1433 of Federal investments to disadvantaged communities. This
1434 amendment is about equity, and ensuring that every American
1435 has the ability to turn on their faucet and access clean,
1436 safe drinking water.

1437 In my district the Safe Drinking Water Act has provided
1438 funding to critical projects just -- such as extending
1439 drinking water lines to St. Anthony Mobile Home Park for farm
1440 workers, and other parts in Mecca and Thermal.

1441 In fiscal year 2020, with the Federal Drinking Water
1442 Revolving Fund's monies, California provided over \$45 million
1443 in additional subsidies for public water systems serving
1444 disadvantaged communities. Based on that allocation, this
1445 amendment would make roughly \$6 million extra in California
1446 available to subsidize drinking water improvements in under-
1447 resourced communities. That money could be the difference
1448 for several ongoing projects to bring clean drinking water to
1449 the eastern Coachella Valley and other locations, the
1450 difference between clean water and a public health hazard.

1451 So I urge my colleagues to support this amendment, and I
1452 yield back my time.

1453 *The Chairman. I thank the gentleman.

1454 Does anyone else want to speak on the Ruiz amendment to
1455 the ANS?

1456 All right, well, hearing none, we will go to a vote on
1457 the Ruiz amendment.

1458 All those in favor of the Ruiz amendment will signify by
1459 saying aye.

1460 All right, all those opposed will say no.

1461 In the opinion of the chair the ayes have it, and the
1462 amendment is agreed to.

1463 Are there -- well, kind of see if there is a Republican
1464 amendment, first. Is there any Republican amendment?

1465 Mr. McKinley, does the clerk have the McKinley amendment
1466 to the ANS?

1467 *The Clerk. What is the title?

1468 *The Chairman. Number eight.

1469 *The Clerk. Yes.

1470 *The Chairman. Number 18, Madam Clerk --

1471 *Mr. McKinley. Eight.

1472 *The Chairman. Oh, eight, eight.

1473 *The Clerk. Eight, yes.

1474 *The Chairman. You have it? Okay, the clerk will
1475 report the amendment.

1476 *The Clerk. Amendment to the amendment in the nature of
1477 a substitute to the committee print for H.R. 3291, offered by
1478 Mr. McKinley of West Virginia.

1479 *The Chairman. Without objection, the reading of the
1480 amendment will be dispensed with.

1481 [The amendment of Mr. McKinley follows:]

1482

1483 *****COMMITTEE INSERT*****

1484

1485 *The Chairman. And the gentleman from West Virginia is
1486 recognized for five minutes --

1487 *Mr. Tonko. Mr. Chair?

1488 *Mr. McKinley. Thank you again --

1489 *The Chairman. Oh, I am sorry. Did you want to raise a
1490 point of order?

1491 *Mr. Tonko. Yes, I wish to reserve a point of order.

1492 *The Chairman. Mr. Tonko raises a point of order --
1493 reserves a point of order, I am sorry.

1494 Mr. McKinley?

1495 *Mr. McKinley. Yes, thank you again, Mr. Chairman. And
1496 I, like the ranker, I support much of this. We are just
1497 trying to perfect this, so that we can reach a level of --
1498 where we could accept this.

1499 But this amendment, in trying to perfect it, would
1500 strike sections 201 and 205 of the AQUA Act, which would --
1501 which is -- would repeal the cost benefit requirement, and
1502 strike the existing variances available to small water
1503 systems.

1504 As I mentioned in my opening remarks, the cost benefit
1505 ratio is an important part of any decision-making process in
1506 business or in government. It justifies the expenditures.
1507 So I can't grasp, Mr. Chairman, why Congress would want to
1508 ignore the cost benefit ratio, as we have -- as it has
1509 existed.

1510 If we use an example that -- back in 2012, Obama wanted
1511 to -- President Obama wanted to reduce the particulate matter
1512 from 15 to 12 micrograms per cubic meter. That is just a
1513 difference of three micrograms. But we needed to understand
1514 the justification, the cost benefit ratio. So we looked at
1515 what does that do, to try to understand three micrograms per
1516 cubic meter.

1517 And we -- Chairman, we concluded that, if you filled the
1518 entire Empire State Building, every square foot of floor,
1519 hallways, doorway, bathrooms, everything in the Empire State
1520 Building, filled it with ping pong balls, every one, and then
1521 you go down to the first floor and take one ping pong ball
1522 out of the Empire State Building, one ping pong, that is the
1523 equivalent of three micrograms per cubic meter. And this is
1524 an immeasurable improvement that would have cost billions for
1525 manufacturers and utilities, and resulting in higher utility
1526 bills. It was dropped.

1527 Now, the same goes for drinking water regulations.
1528 State and local communities don't have the same level of
1529 funding available to them. For example, you heard earlier
1530 that Representative Ms. Eshoo from California 18, she
1531 represents the second wealthiest district in Congress, out of
1532 435, second wealthiest. But yet my district is ranked 372nd.
1533 And Carol Miller, down in the 3rd district of West Virginia,
1534 it is 423rd.

1535 These -- the idea of these small system variances, towns
1536 like Shinnston, West Virginia that Congressman Tonko was able
1537 to visit, they shouldn't be held to the same technology, or
1538 the process, as towns like Newark, or Albany, New York. The
1539 tiered system of one size fits all will not work. If they
1540 can reach the same goal, which is providing clean water, why
1541 is Washington telling these smaller water systems how to do
1542 it? Small communities will find a way to achieve that goal,
1543 but in -- perhaps in a way that they can afford to do it.
1544 Small systems operators shouldn't have -- they want to ensure
1545 that they are providing that quality water. That is what
1546 their customers want. They care about their customers.

1547 So this idea of eliminating this provision just proves
1548 how arrogant Washington can be, that Washington knows best.
1549 Saying that these customers will get lesser quality water is
1550 insulting to the health care workers in the state and those
1551 relative counties.

1552 Remember, the small system variance is not permanent.
1553 It must be granted by the EPA or the state health officials
1554 on an annual basis. And they cannot get one, unless the
1555 public -- that water quality meets or exceeds the Federal
1556 standards. Perhaps it uses a different technology that they
1557 can afford to implement.

1558 So, Mr. Chairman, I support this amendment, and I would
1559 ask for a recorded vote at the appropriate time. I yield

1560 back.

1561 *The Chairman. I thank the gentleman, and I move to
1562 strike the last word to speak in opposition to his amendment.
1563 The amendment would undo one of the most important changes
1564 that this bill makes -- seeks to make, and that is the change
1565 that ensures our drinking water standards will be as
1566 protected as feasible, and empowers EPA to set much-needed
1567 standards.

1568 Instead, this McKinley amendment would keep in place the
1569 standard-setting process under the Safe Drinking Water Act
1570 that has failed to work, in my opinion, for the last 25
1571 years.

1572 It may be that, you know, on that list you are saying
1573 of, you know, who is rich or poor, that you are, you know,
1574 low on the list. But it is beautiful there, and we love
1575 everyone there, and we don't want them to possibly have a
1576 lesser standard, and be drinking water that they shouldn't
1577 be. So the bill aims to empower EPA to set much-needed
1578 drinking water standards, and aims to ensure those standards
1579 are health-based.

1580 Cost would still be considered, because it is built into
1581 the assessment of what the -- of what standard is feasible.
1582 But this amendment, on the other hand, would ensure that cost
1583 benefit analysis reigns supreme, and that feasible public
1584 health protections can be weakened. And that is not what I

1585 want to see.

1586 Cost benefit analysis has been shown over the years to
1587 be a flawed tool that overcounts cost, and fails to capture
1588 benefits, especially when the benefits would help
1589 environmental justice communities. And for too long, our
1590 landmark environmental laws have failed to ensure the health
1591 and well-being of environmental justice communities. The --
1592 role, given the cost benefit analysis, is one of the reasons
1593 why.

1594 So I want to just give one example of how cost benefit
1595 analysis undervalues benefits for environmental justice
1596 communities. One of the most important benefits of any
1597 environmental protection is lives saved. Unfortunately, in
1598 calculating the monetary value of lives saved, to balance
1599 that value against the cost of regulatory compliance,
1600 statisticians use something called the value of a statistical
1601 life. And they calculate the value using things like the
1602 increase in wages workers receive for taking on jobs with
1603 higher fatality risks. Because of our long history of
1604 systematic racism, that statistic produces a lower value of
1605 statistical life for people of color.

1606 So I don't -- again, the concern here is not to put too
1607 much emphasis on the cost benefit analysis, because we have
1608 to ensure that our drinking water standards protect the
1609 public health. And it doesn't matter, you know, whether you

1610 are in West Virginia, or you are in Newark, or wherever you
1611 are. You know, we want to make sure that the health of
1612 people, when they drink water, is safe.

1613 And for that reason, I would ask members to reject this
1614 amendment, and pass the bill to ensure that the Safe Drinking
1615 Water Act is primarily about safety, and I yield back.

1616 Does anyone else want to speak on the McKinley
1617 amendment?

1618 Dr. Ruiz, you have your hand up, or that is from the
1619 last one? I think it must be from the last one.

1620 All right, all right, then we are going to go -- oh, but
1621 you asked for -- Mr. McKinley asked for a recorded vote, so
1622 we will just go to the recorded vote.

1623 A recorded vote is ordered. Those in favor of the
1624 McKinley amendment will say aye. Those opposed to the
1625 amendment will say no. And the clerk shall call the roll.

1626 Again, unmute yourself so we can hear you, and give your
1627 state as you repeat your name.

1628 Madam Clerk?

1629 *The Clerk. Mr. Rush?

1630 *Mr. Rush. Rush of Illinois votes --

1631 *Ms. Eshoo. Am I on mute?

1632 *Mr. Rush. -- no.

1633 *The Clerk. Mr. Rush votes no.

1634 Ms. Eshoo?

1635 *Ms. Eshoo. Eshoo of California votes no.
1636 *The Clerk. Ms. Eshoo votes no.
1637 Ms. DeGette?
1638 *Ms. DeGette. No.
1639 *The Clerk. Ms. DeGette votes no.
1640 Mr. Doyle?
1641 *Mr. Doyle. No.
1642 *The Clerk. Mr. Doyle votes no.
1643 Ms. Schakowsky?
1644 *Ms. Schakowsky. No.
1645 *The Clerk. Ms. Schakowsky votes no.
1646 Mr. Butterfield?
1647 *Mr. Butterfield. Butterfield, no.
1648 *The Clerk. Mr. Butterfield votes no.
1649 Ms. Matsui?
1650 *Voice. Was he eating?
1651 *Ms. Matsui. Matsui votes no.
1652 *The Clerk. Ms. Matsui votes no.
1653 Ms. Castor?
1654 *Ms. Castor. No.
1655 *The Clerk. Ms. Castor votes no.
1656 Mr. Sarbanes?
1657 *Mr. Sarbanes. Sarbanes votes no.
1658 *The Clerk. Mr. Sarbanes votes no.
1659 Mr. McNerney?

1660 *Mr. McNerney. McNerney votes no.
1661 *The Clerk. Mr. McNerney votes no.
1662 Mr. Welch?
1663 [No response.]
1664 *The Clerk. Mr. Tonko?
1665 *Mr. Tonko. Tonko of New York votes no.
1666 *The Clerk. Mr. Tonko votes no.
1667 Ms. Clarke?
1668 *Ms. Clarke. Ms. Clarke of New York votes no.
1669 *The Clerk. Ms. Clarke votes no.
1670 Mr. Schrader?
1671 *Mr. Schrader. Schrader votes yes.
1672 *The Clerk. Mr. Schrader votes aye.
1673 Mr. Cardenas?
1674 *Mr. Cardenas. Cardenas --
1675 [Pause.]
1676 *The Clerk. Mr. Cardenas?
1677 *The Chairman. I heard him say no.
1678 *The Clerk. Mr. Cardenas votes no.
1679 Mr. Ruiz?
1680 *Mr. Ruiz. Ruiz from California votes no.
1681 *The Clerk. Mr. Ruiz votes no.
1682 Mr. Peters?
1683 *Mr. Peters. Peters votes no.
1684 *The Clerk. Mr. Peters votes no.

1685 Mrs. Dingell?

1686 *Mrs. Dingell. [Inaudible.]

1687 *The Clerk. Mrs. Dingell votes no.

1688 Mr. Veasey?

1689 *Mr. Veasey. [Inaudible.]

1690 *The Clerk. Mr. Veasey votes no.

1691 Ms. Kuster?

1692 *Ms. Kuster. Kuster votes no.

1693 *The Clerk. Ms. Kuster votes no.

1694 Ms. Kelly?

1695 [No response.]

1696 *The Clerk. Ms. Barragan?

1697 *Ms. Barragan. Barragan votes no.

1698 *The Clerk. Ms. Barragan votes no.

1699 Mr. McEachin?

1700 *Mr. McEachin. Mr. McEachin votes no.

1701 *The Clerk. Mr. McEachin votes no.

1702 Ms. Blunt Rochester?

1703 *Ms. Blunt Rochester. Ms. Blunt Rochester of Delaware

1704 votes no.

1705 *The Clerk. Ms. Blunt Rochester votes no.

1706 Mr. Soto?

1707 *Mr. Soto. Soto votes no.

1708 *The Clerk. Mr. Soto votes no.

1709 Mr. O'Halleran?

1710 *Mr. O'Halleran. O'Halleran votes no.
1711 *The Clerk. Mr. O'Halleran votes no.
1712 Miss Rice?
1713 *Miss Rice. Rice votes no.
1714 *The Clerk. Miss Rice votes no.
1715 Ms. Craig?
1716 *Ms. Craig. Craig votes no.
1717 *The Clerk. Ms. Craig votes no.
1718 Ms. Schrier?
1719 *Ms. Schrier. Schrier votes no.
1720 *The Clerk. Ms. Schrier votes no.
1721 Mrs. Trahan?
1722 *Mrs. Trahan. Trahan votes no.
1723 *The Clerk. Mrs. Trahan votes no.
1724 Mrs. Fletcher?
1725 *Mrs. Fletcher. Fletcher from Texas votes no.
1726 *The Clerk. Mrs. Fletcher votes no.
1727 Mrs. Rodgers?
1728 *Mrs. Rodgers. [Inaudible.]
1729 *The Clerk. Mrs. Rodgers votes aye.
1730 Mr. Upton?
1731 *Mr. Upton. Aye.
1732 *The Clerk. Mr. Upton votes aye.
1733 Mr. Burgess?
1734 [No response.]

1735 *The Clerk. Mr. Scalise?
1736 [No response.]
1737 *The Clerk. Mr. Latta?
1738 *Mr. Latta. Latta votes aye.
1739 *The Clerk. Mr. Latta votes aye.
1740 Mr. Guthrie?
1741 *Mr. Guthrie. Aye.
1742 *The Clerk. Mr. Guthrie votes aye.
1743 Mr. McKinley?
1744 *Mr. McKinley. [Inaudible.]
1745 *The Clerk. Mr. McKinley votes aye.
1746 Mr. Kinzinger?
1747 *Mr. Kinzinger. Kinzinger, aye.
1748 *The Clerk. Mr. Kinzinger votes aye.
1749 Mr. Griffith?
1750 [No response.]
1751 *The Clerk. Mr. Bilirakis?
1752 *Mr. Bilirakis. [Inaudible.]
1753 *The Clerk. Mr. Bilirakis votes aye.
1754 Mr. Johnson?
1755 *Mr. Johnson. [Inaudible.]
1756 *The Clerk. Mr. Johnson votes aye.
1757 Mr. Long?
1758 *Mr. Long. Let me unmute myself here. Aye.
1759 *The Clerk. Mr. Long votes aye.

1760 Mr. Bucshon?
1761 *Mr. Bucshon. Mr. Bucshon votes aye.
1762 *The Clerk. Mr. Bucshon votes aye.
1763 Mr. Mullin?
1764 *Mr. Mullin. Mullin votes aye.
1765 *The Clerk. Mr. Mullin votes aye.
1766 Mr. Hudson?
1767 *Mr. Hudson. Hudson votes aye.
1768 *The Clerk. Mr. Hudson votes aye.
1769 Mr. Walberg?
1770 *Mr. Walberg. Walberg votes aye.
1771 *The Clerk. Mr. Walberg votes aye.
1772 Mr. Carter?
1773 *Mr. Carter. Carter votes aye.
1774 *The Clerk. Mr. Carter votes aye.
1775 Mr. Duncan?
1776 *Mr. Duncan. Duncan, aye.
1777 *The Clerk. Mr. Duncan votes aye.
1778 Mr. Palmer?
1779 *Mr. Palmer. Palmer, aye.
1780 *The Clerk. Mr. Palmer votes aye.
1781 Mr. Dunn?
1782 *Mr. Dunn. Dunn votes aye.
1783 *The Clerk. Mr. Dunn votes aye.
1784 Mr. Curtis?

1785 *Mr. Curtis. Curtis votes aye.
1786 *The Clerk. Mr. Curtis votes aye.
1787 Mrs. Lesko?
1788 *Mrs. Lesko. Lesko votes aye.
1789 *The Clerk. Mrs. Lesko votes aye.
1790 Mr. Pence?
1791 *Mr. Pence. Pence votes aye.
1792 *The Clerk. Mr. Pence votes aye.
1793 Mr. Crenshaw?
1794 *Mr. Crenshaw. Crenshaw votes aye.
1795 *The Clerk. Mr. Crenshaw votes aye.
1796 Mr. Joyce?
1797 *Mr. Joyce. Joyce votes aye.
1798 *The Clerk. Mr. Joyce votes aye.
1799 Mr. Armstrong?
1800 *Mr. Armstrong. Yes.
1801 *The Clerk. Mr. Armstrong votes aye.
1802 Chairman Pallone?
1803 *The Chairman. Pallone from New Jersey votes no.
1804 *The Clerk. Chairman Pallone votes no.
1805 Chairman --
1806 *Mr. Welch. How am I recorded? Congressman Welch.
1807 *The Clerk. Mr. Welch is not recorded.
1808 *Mr. Welch. Mr. Welch votes no.
1809 *Ms. Kelly. How am I recorded?

1810 *The Clerk. Mr. Welch votes no.

1811 *Ms. Kelly. Kelly.

1812 *The Clerk. Ms. Kelly is not recorded.

1813 *Ms. Kelly. Kelly votes no.

1814 *The Clerk. Ms. Kelly votes no.

1815 *Mrs. Rodgers. Mr. Chairman?

1816 *The Chairman. Yes?

1817 *Mrs. Rodgers. Could I ask the clerk to ask for those

1818 who have not been recorded?

1819 *The Chairman. Yes.

1820 Run through it again.

1821 *The Clerk. Mr. Burgess, Mr. Scalise, and Mr. Griffith.

1822 *Mr. Scalise. Mr. Scalise votes yes.

1823 *The Clerk. Mr. Scalise votes aye.

1824 *The Chairman. Is there anyone else who hasn't been

1825 recorded in person or virtually who would like to vote on the

1826 McKinley amendment?

1827 Here comes Dr. -- Dr. Schrier is coming in.

1828 Oh, you already voted?

1829 Oh, she voted virtually, Dr. Schrier? Okay.

1830 All right, so if that is it, the clerk will report the

1831 tally.

1832 *The Clerk. On that vote, Mr. Chairman, the yeas were

1833 25, and the nays were 31.

1834 *The Chairman. Okay, the vote is 25 ayes to 30 noes,

1835 and the amendment is not agreed to.

1836 *The Clerk. Thirty-one, thirty-one noes.

1837 *The Chairman. Thirty-one? Okay, let me start again.

1838 So the vote is 25 ayes to 31 noes, and that is -- the

1839 McKinley amendment is not agreed to.

1840 Are there further amendments?

1841 We will go back to the Democrats. The gentlewoman from

1842 Michigan, Mrs. Dingell, we have --

1843 *Mrs. Dingell. Thank you, Chairman Pallone. I have an

1844 amendment at the desk to the ANS.

1845 *The Chairman. Does the clerk have that amendment?

1846 *The Clerk. Yes.

1847 *The Chairman. Okay, the clerk will report the Dingell

1848 amendment.

1849 *The Clerk. Amendment to the amendment in the nature of

1850 a substitute to the committee print for H.R. 3291, offered

1851 by --

1852 *The Chairman. And without objection, the reading of

1853 the Dingell amendment will be dispensed with.

1854 [The amendment of Mrs. Dingell follows:]

1855

1856 *****COMMITTEE INSERT*****

1857

1858 *The Chairman. And the gentlewoman from Michigan is
1859 recognized for five minutes.

1860 *Mrs. Dingell. Thank you, Mr. Chairman. I would like
1861 to thank both you and Chairman Tonko for your leadership on
1862 H.R. 3291, the Assistance, Quality, and Affordability Act, or
1863 as we are calling it, the AQUA Act. It includes very
1864 important provisions on improving the nation's water
1865 infrastructure, drinking water safety, and affordability.

1866 The amendment I am offering today would aim to make this
1867 important bill even stronger. It builds on language my
1868 colleagues, Representative Tlaib, Representative Blunt
1869 Rochester, and I have authored as part -- oh, give me a
1870 second here -- as part of the Water Debt Relief Act that is
1871 included in this overall bill.

1872 My amendment would make two important additions to help
1873 assist families nationwide, living day to day in the grip of
1874 growing water and debt crisis, and improve the transparency
1875 for the Emergency Water Debt Relief Program the bill
1876 establishes.

1877 First, the amendment would create important discretion
1878 to -- and flexibility for water systems to use some of the
1879 provided funds for -- from this program for costs associated
1880 with reconnecting or restoring water service, including
1881 plumbing repairs and pipe flushing, as needed for eligible
1882 residential customers. You cannot believe when these pipes

1883 have to -- people's water has been shut off, and they can't
1884 afford the plumber to come in and turn it back on, and the
1885 kinds of incidences that occur. So this provision is
1886 important to those families who have had their water shut
1887 off, and would help reconnect water lines to the communities
1888 that need it the most.

1889 Our bill, the Water Debt Relief Act, establishes a
1890 residential emergency relief program for public water systems
1891 through the Environmental Protection Agency. It would
1892 specifically authorize \$4 billion in funding for emergency
1893 water debt relief, allowing utilities to forgive any debt
1894 incurred by eligible residential customers, many in frontline
1895 communities since the start to COVID-19 pandemic, so that
1896 those customers struggling with water debt costs can retain
1897 that access to water service.

1898 We have also written this bill to include some important
1899 conditions to ensure that taps are not turned off to anyone.

1900 And the other important part of this is that we are
1901 trying to -- the Republicans talk about the need for
1902 transparency. We would establish new requirements for EPA to
1903 report to Congress on implementation of the Emergency Water
1904 Debt Relief Program this bill creates, so we have the
1905 transparency and contract the efficiency of the program.

1906 Water is a human right. Our bill and the overall bill
1907 we are marking up today would embody this creed. No American

1908 should worry about whether they have water to drink, or
1909 proper water for their bathrooms and sewage. This simple,
1910 but meaningful amendment will make the underlying bill
1911 better. And I beg my colleagues to consider supporting this.

1912 Again, I would like to thank the E&C leadership and
1913 staff for working so collaboratively to help us advance this
1914 meaningful legislation, and craft this important amendment.
1915 Thank you, Mr. --

1916 *The Chairman. Would the gentlewoman yield, just to --
1917 for --

1918 *Mrs. Dingell. Yes.

1919 *The Chairman. I just wanted to thank you and the
1920 Michigan delegation, in general, for, you know, looking at
1921 all this very practically, and coming up with practical
1922 solutions for people, because that is not always the case.
1923 But it certainly has been true for you and the other members
1924 of the delegation. So thank you.

1925 And I yield back to you.

1926 *Mrs. Dingell. Oh, no, thank you, Mr. Chairman, for
1927 your leadership.

1928 Unfortunately, there are just -- too many people can't
1929 afford their water. And it is not a Michigan problem. We
1930 have highlighted it. It is a national program, and a
1931 national problem. And I yield back.

1932 *The Chairman. Thank you. The gentlewoman yields back.

1933 Anyone want to speak on the Dingell amendment?
1934 Nobody virtually, either?
1935 All right, then we will go to a vote.
1936 All those in favor of the Dingell amendment will signify
1937 by saying aye.
1938 All those opposed will signify by saying no.
1939 In the opinion of the chair, the ayes have it, and the
1940 amendment is agreed to.
1941 Are there -- is there a further amendment on the
1942 Republican side?
1943 *Mr. Curtis. Mr. Chairman?
1944 *The Chairman. Mr. Curtis.
1945 *Mr. Curtis. Thank you.
1946 *The Chairman. Does the clerk have the Curtis
1947 amendment?
1948 *The Clerk. What is the title?
1949 *The Chairman. The title, or the number? Number --
1950 *Mr. Curtis. Amendment --
1951 *The Chairman. It is -- yes, three.
1952 *The Clerk. I have it.
1953 *The Chairman. You have it? Thanks.
1954 All right, the clerk will report the amendment.
1955 *The Clerk. Amendment to the amendment in the nature of
1956 a substitute to the committee print for H.R. 3291, offered --
1957 *The Chairman. Without objection, Madam Clerk, the

1958 reading of the amendment will be dispensed with.

1959 [The amendment of Mr. Curtis follows:]

1960

1961 *****COMMITTEE INSERT*****

1962

1963 *The Chairman. Oh, is there a point of order?

1964 *Mr. Tonko. Yes, Mr. Chair.

1965 *The Chairman. The gentleman reserves --

1966 *Mr. Tonko. I wish to reserve a point of order, please.

1967 *The Chairman. He reserves a point of order, and Mr.

1968 Curtis is recognized for five minutes in support of his

1969 amendment.

1970 *Mr. Curtis. Thank you, Mr. Chairman. May I begin by
1971 thanking you for bringing us to this room for the hearing
1972 today? I have been on the committee almost seven months, and
1973 this is my first time in the room. And besides getting used
1974 to my colleagues all behind me when I speak to them, I am
1975 delighted to be here.

1976 H.R. 3291 creates a new Federal program authorized at 4
1977 billion to pay late dues to water utilities dating back to
1978 March of 2020, and bars efforts to encourage payment of bills
1979 for 5 years. My amendment would strike both of these
1980 provisions.

1981 In Utah right now, we are experiencing what some have
1982 called the largest drought in our state's history. It is
1983 certainly a significant drought. To conserve water,
1984 utilities implement various tools to incentivize or
1985 disincentivize water use.

1986 I remember, as mayor, a local entity was given free
1987 water. When we restricted their water use, and started

1988 charging them, miraculously, they started using less water.
1989 If people aren't financially liable for their water bills,
1990 they have no reason to help conserve water, undermining any
1991 efforts by local utilities or government to combat drought.

1992 Clearly, I would like to associate myself with my
1993 colleagues who have expressed interest and desire to help
1994 those who are unable to pay their water bills, but this bill
1995 prevents any water utility from taking steps to incentivize
1996 individuals to pay their water bills for five years. While
1997 this bill seeks to solve the issues of paying water bills, it
1998 creates another by incentivizing water use without limits on
1999 water.

2000 The ban on water bill collection makes no distinction
2001 between those who are low-income, unemployed, or wealthy. We
2002 are currently experiencing a 2.7 unemployment rate in Utah
2003 right now. I am all for targeting relief for those who need
2004 it most, but if this bill were signed into law, there would
2005 be no reason for anybody to pay their water bill for five
2006 years.

2007 Further, and I hope my colleagues will please listen to
2008 these unintended consequences, local municipalities pay for
2009 water infrastructure through fees. By disallowing them or
2010 making them unable to collect these fees, we severely
2011 undermine their ability to build the infrastructure that we
2012 have talked about so much today. Those that are familiar

2013 with municipal bonding will understand that you cannot get a
2014 bond with an unreliable stream of income. This bill's
2015 unintentional consequence makes it near impossible for
2016 municipalities to bond for water infrastructure, because they
2017 can't count on a reliable stream of income.

2018 Additionally, over the last year Congress spent \$4
2019 billion on drinking water rate assistance, 500 million in the
2020 omnibus and 3.5 billion in American Rescue Plan. This bill
2021 doubles the amount of funds for water bill subsidies from 4
2022 billion to \$8 billion. I think it is worth noting that there
2023 are also countless state, local, and privately-run programs
2024 to help individuals with their water bills who need it
2025 throughout the country.

2026 Ranking Member Rodgers sent a letter to the
2027 Administration, asking how this four billion was spent and
2028 prioritized. She still has not received an explanation, yet
2029 today we are ready to spend another \$4 billion, without
2030 knowing how that first 4 billion was spent.

2031 My amendment strikes both of these provisions from the
2032 bill. I support a conversation about targeted relief for
2033 those who need it, but this is not the right approach, and
2034 will result in clear unintended consequences.

2035 Now, Mr. Chairman, if I may quote you, I am not sure
2036 anybody is being convinced here, and I greatly respect this
2037 community's time. So it is my intent to withdraw my bill.

2038 Hopefully, my colleagues would listen to my point, and will
2039 work with me to try to do away with these unintended
2040 consequences of the bill.

2041 And with that, I yield my time.

2042 *The Chairman. I thank the gentleman from Utah.

2043 Anybody on the -- Mr. Tonko, you had your hand up or
2044 something. Did you want to respond?

2045 *Mr. Tonko. I was going to speak to -- in opposition to
2046 the amendment, but --

2047 *The Chairman. Oh, all right.

2048 *Mr. Tonko. -- he withdrew.

2049 *The Chairman. The gentleman is recognized.

2050 *Mr. Tonko. He withdrew.

2051 *Voice. Oh, he withdrew?

2052 *The Chairman. What is that?

2053 Oh, Mr. Curtis, you withdrew the amendment?

2054 *Voice. Yes.

2055 *The Chairman. Oh, okay.

2056 *Mr. Curtis. It sounds like you are making my point,
2057 that I am not sure I was listened to.

2058 [Laughter.]

2059 *The Chairman. I was listening. No, I was listening to
2060 the substance of what you said, but I didn't hear you --

2061 *Mr. Curtis. I will take your word for that.

2062 *The Chairman. Well, Mr. Doyle, of course, will always,

2063 you know, notice when someone is withdrawing something. So,
2064 all right, thank you. I thank the gentleman.

2065 All right, do we have any other amendments?

2066 *Ms. Barragan. Mr. Chairman?

2067 *The Chairman. Ms. Barragan, the gentlewoman from
2068 California, do you have -- does the clerk have her amendment?

2069 *The Clerk. Yes.

2070 *The Chairman. All right, the clerk will report the
2071 Barragan amendment.

2072 *The Clerk. Amendment to the amendment in the nature of
2073 a substitute to the committee print for H.R. 3291, offered by
2074 Ms. Barragan of California.

2075 *The Chairman. Without objection, the reading of the
2076 amendment will be dispensed with.

2077 [The amendment of Ms. Barragan follows:]

2078

2079 *****COMMITTEE INSERT*****

2080

2081 *The Chairman. And the gentlewoman from California is
2082 recognized in support of her amendment.

2083 *Ms. Barragan. Thank you, Mr. Chairman. Mr. Chairman,
2084 my amendment requires a study by the Government
2085 Accountability Office to evaluate the financial status of
2086 water systems servicing disadvantaged and environmental
2087 justice communities with fewer than 50,000 people. The goal
2088 is to make sure these water systems have the financial and
2089 management capabilities to adequately serve the people under
2090 their jurisdiction.

2091 Clean and affordable water is a top priority for all of
2092 us. Small water systems in disadvantaged communities and
2093 environmental justice communities often do not have technical
2094 expertise or staff to take advantage of Federal funds or
2095 funding to pay back loans or debt service on capital
2096 projects.

2097 In 2018 this problem arose in my district, in Compton,
2098 where residents had brown water coming out of their faucets.
2099 This was environmental injustice. The Sativa water system
2100 responsible for serving 1,600 homes in Compton was plagued by
2101 years of poor management, instability, infrastructure
2102 backlogs, and a water board unresponsive to ratepayers'
2103 concerns. Los Angeles County had to take over control of the
2104 water system, and address the groundwater and infrastructure
2105 issues.

2106 However, this problem isn't limited to Sativa. In
2107 southern Los Angeles County there are 57 separate water
2108 systems. Of those, 29 are water systems serving
2109 disadvantaged communities of anywhere from 350 to 50,000
2110 people. These systems have severe needs for infrastructure
2111 improvements, water treatment, and technical assistance.

2112 Many small and disadvantaged urban communities around
2113 the country face these similar concerns. We need better
2114 information about the financial health of these water systems
2115 to identify which systems are so distressed that they are
2116 failing to provide consumers with clean or affordable water.
2117 By studying a representative sample of these systems across
2118 the country, and identifying the challenges they face, this
2119 GAO report can provide our committee, as well as EPA, with
2120 information on the struggles disadvantaged systems are
2121 facing.

2122 The report will also provide policy recommendations,
2123 best practices, and guidelines on encouraging the
2124 consolidation of small water systems, when appropriate.

2125 It was a necessary step for Sativa in my district. Far
2126 too many ratepayers are facing the same struggles and
2127 shortcomings with their water systems. It is a major
2128 obstacle to providing clean and affordable water for all.

2129 The study will help us more fully understand the scale
2130 of the problem, and how consolidation can help to address

2131 those issues.

2132 And with that, Mr. Chairman, I yield back.

2133 *The Chairman. I thank the gentlewoman.

2134 Does anyone else want to speak on this?

2135 The ranking member is recognized for five minutes.

2136 *Mrs. Rodgers. Thank you, Mr. Chairman. I move to
2137 strike the last word.

2138 You know, we have reviewed the amendment, and I
2139 recognize that it is offered in good faith. I think there is
2140 a concern about the potential adverse impact that this may
2141 have on the smaller -- on the rural, low end, low-income
2142 water systems. I just want to get that onto the record.

2143 Thank you, Mr. Chairman.

2144 *The Chairman. Thank you.

2145 Does anyone else want to speak on the Barragan
2146 amendment?

2147 If not, I will move to a vote.

2148 All those in favor of the Barragan amendment will
2149 signify by saying aye.

2150 All those opposed will say no.

2151 In the opinion of the chair, the ayes have it, and the
2152 amendment is agreed to.

2153 Are there any further amendments on the Republican side?

2154 *Mrs. Rodgers. No.

2155 *The Chairman. All right. We still have -- Mr.

2156 O'Halleran has an amendment.

2157 *Mr. O'Halleran. Thank you --

2158 *The Chairman. Does the clerk have the O'Halleran
2159 amendment -- O'Halleran?

2160 *The Clerk. Yes.

2161 *The Chairman. The clerk will report the amendment.

2162 *The Clerk. Amendment to the amendment in the nature of
2163 a substitute to the committee print for H.R. 3291, offered by
2164 Mr. O'Halleran of Arizona.

2165 *The Chairman. Without objection, the reading of the
2166 amendment will be dispensed with.

2167 [The amendment of Mr. O'Halleran follows:]

2168

2169 *****COMMITTEE INSERT*****

2170

2171 *The Chairman. And the gentleman from Arizona is
2172 recognized for five minutes.

2173 *Mr. O'Halleran. I thank the chairman, and -- for
2174 holding this important markup. Water legislation affects so
2175 many families in Arizona's 1st district.

2176 Mr. Chairman, as you and many of our colleagues here
2177 know, tribal communities across our nation face
2178 disproportionate barriers when it comes to assessing --
2179 accessing water and sanitation facilities, infrastructure
2180 most Americans overlook, as a given.

2181 It is estimated that over 100,000 homes on tribal lands
2182 lack access to running water and adequate sanitation
2183 infrastructure. On the Navajo Nation, much of which exists
2184 in Arizona's 1st district, roughly 30 percent of the
2185 population lacks access to running water at all. COVID-19
2186 has made this disparity even more clear. Over the past year
2187 tribal communities experienced some of the highest per-capita
2188 COVID-19 infection rates in the country. In May of 2012 the
2189 Navajo Nation became the global hotspot for the virus, and
2190 lack of clean, accessible running water and sanitation
2191 systems only helped this deadly virus spread faster. This is
2192 not acceptable. It is something that this committee must
2193 address.

2194 This year, along with my friend, Congressman Don Young,
2195 I reintroduced legislation to allocate 62.6 billion in

2196 funding to the Indian Health Service Sanitation Facilities
2197 Construction Program to construct and improve critical
2198 sanitation projects, and to deliver clean drinking water to
2199 tribes. Deemed non-germane, I am very disappointed that this
2200 important legislation was ineligible for inclusion in today's
2201 markup. I know how much the chairman cares about the needs
2202 of the Indian country.

2203 Mr. Chairman, I hope you will assist me in making this
2204 germane in the final package. Thank you. With the -- and I
2205 will withdraw my amendment.

2206 Together we will ensure that water and sanitation needs
2207 -- long-overlooked tribal communities are not left to the
2208 back burner. Thank you.

2209 *The Chairman. Thank you. I thank the gentleman. I
2210 know you have withdrawn the amendment because of germaneness,
2211 but, you know, perhaps, as we move to the floor, we can
2212 address it since it is in another committee.

2213 So I think that is it for -- oh, did someone want to
2214 speak?

2215 Mr. Crenshaw, the gentleman from Texas, is recognized to
2216 strike the last word.

2217 *Mr. Crenshaw. Thank you, Mr. Chairman, I move to
2218 strike the last word, and just speak on the underlying bill,
2219 and I appreciate your recognition.

2220 I just want to disabuse ourselves of the assumption that

2221 Republicans don't want to protect the public from high lead
2222 concentrations. We want to work together on that. It
2223 becomes difficult because the Biden Administration has rolled
2224 back the lead and copper rule, saying it didn't go far
2225 enough. And I want to correct the record on this, and get
2226 some things straight.

2227 The Trump Administration eliminated the off-ramps.
2228 Previously, if an entity found themselves subject to the lead
2229 and copper rule, there was virtually no requirement for it to
2230 be enforced, because there were plenty of loopholes to slip
2231 through. The Trump Administration ended this practice, and I
2232 am surprised the Biden Administration has rolled this back.

2233 I am also surprised that we haven't seen any changes to
2234 this legislation since the EPA came to testify. I thought
2235 there were some good lessons learned from the last hearing.
2236 For instance, there is still no requirements for reporting of
2237 costs under this fund. So if the majority of the money ends
2238 up going to surveying lead service line locations or
2239 administrative costs, it doesn't matter. There is still no
2240 flexibility included in remediation, either. It is either
2241 full replacement or -- and nothing else. And there is no
2242 prioritization of communities that are at the greatest risk.

2243 So, again, I believe this is irresponsible policymaking.
2244 Instead of building a targeted program that would replace the
2245 service lines, we are going to cross our fingers and hope the

2246 money gets where it needs to go. And I think we can just do
2247 a lot better. I yield back.

2248 *The Chairman. I thank the gentleman.

2249 Does anyone else want to speak on the ANS?

2250 Otherwise, we are going to proceed to a vote on the
2251 amendment in the nature of a substitute.

2252 All those in favor of the amendment in the nature of a
2253 substitute to H.R. 3291, as amended, will signify by saying
2254 aye.

2255 All those opposed will say no.

2256 In the opinion of the chair, the ayes have it.

2257 Did somebody -- nobody asked for --

2258 *Mrs. Rodgers. Oh, yes, I request -- no, I am fine, I
2259 pass.

2260 *The Chairman. Okay. Oh, then we are going to -- all
2261 right.

2262 So, in the opinion of the chair, the ayes have it. The
2263 ayes have it, and we -- and the amendment in the nature of a
2264 substitute, as amended, is agreed to.

2265 So now the question occurs on favorably reporting H.R.
2266 3291, as amended, to the full House.

2267 All those in favor of reporting H.R. 3291, as amended,
2268 to the House will signify by saying aye.

2269 And all those opposed will say no.

2270 *Voice. Mr. Chair?

2271 *The Chairman. You want a recorded vote?

2272 *Voice. Please.

2273 *The Chairman. On this one? Okay. A recorded vote is
2274 ordered. Those in favor of reporting H.R. 3291, as amended,
2275 to the House will say aye; those opposed will say no. And
2276 again, if you are virtual, please use your state as you -- as
2277 the clerk calls your name.

2278 And yes, this is on final passage. Everyone understands
2279 that? Okay.

2280 The clerk shall call the roll.

2281 *The Clerk. Mr. Rush?

2282 *Mr. Rush. Rush of Illinois votes aye.

2283 *The Clerk. Mr. Rush votes aye.

2284 Ms. Eshoo?

2285 *Ms. Eshoo. Eshoo of California votes aye.

2286 *The Clerk. Ms. Eshoo votes aye.

2287 Ms. DeGette?

2288 *Ms. DeGette. Aye.

2289 *The Clerk. Ms. DeGette votes aye.

2290 Mr. Doyle?

2291 *Mr. Doyle. [Inaudible.]

2292 *The Clerk. Mr. Doyle votes aye.

2293 Ms. Schakowsky?

2294 *Ms. Schakowsky. Aye.

2295 *The Clerk. Ms. Schakowsky votes aye.

2296 Mr. Butterfield?

2297 *Mr. Butterfield. Butterfield votes aye.

2298 *The Clerk. Mr. Butterfield votes aye.

2299 Ms. Matsui?

2300 *Ms. Matsui. Matsui votes aye.

2301 *The Clerk. Ms. Matsui votes aye.

2302 Ms. Castor?

2303 *Ms. Castor. Aye.

2304 *The Clerk. Ms. Castor votes aye.

2305 Mr. Sarbanes?

2306 *Mr. Sarbanes. Sarbanes votes aye.

2307 *The Clerk. Mr. Sarbanes votes aye.

2308 Mr. McNerney?

2309 *Mr. McNerney. [Inaudible.]

2310 *The Clerk. Mr. McNerney votes aye.

2311 Mr. Welch?

2312 *Mr. Welch. Welch of Vermont votes aye.

2313 *The Clerk. Mr. Welch votes aye.

2314 Mr. Tonko?

2315 *Mr. Tonko. Tonko votes aye.

2316 *The Clerk. Mr. Tonko votes aye.

2317 Ms. Clarke?

2318 [No response.]

2319 *The Clerk. Mr. Schrader?

2320 *Ms. Clarke. Ms. Clarke of --

2321 *Mr. Schrader. Schrader votes aye.

2322 *Ms. Clarke. -- New York votes aye.

2323 *The Clerk. Ms. Clarke votes aye.

2324 Mr. Schrader votes aye.

2325 Mr. Cardenas?

2326 *Mr. Cardenas. Aye from California.

2327 *The Chairman. Cardenas, would you repeat that?

2328 *Mr. Cardenas. Cardenas from California, aye.

2329 *The Clerk. Mr. Cardenas votes aye.

2330 Mr. Ruiz?

2331 *Mr. Ruiz. Ruiz from California votes aye.

2332 *The Clerk. Mr. Ruiz votes aye.

2333 Mr. Peters?

2334 *Mr. Peters. Peters votes aye.

2335 *The Clerk. Mr. Peters votes aye.

2336 Mrs. Dingell?

2337 *Mrs. Dingell. [Inaudible.]

2338 *The Clerk. Mrs. Dingell votes aye.

2339 Mr. Veasey?

2340 *Mr. Veasey. Aye.

2341 *The Clerk. Mr. Veasey votes aye.

2342 Ms. Kuster?

2343 *Ms. Kuster. Kuster votes aye.

2344 *The Clerk. Ms. Kuster votes aye.

2345 Ms. Kelly?

2346 *Ms. Kelly. Kelly votes aye.
2347 *The Clerk. Ms. Kelly votes aye.
2348 Ms. Barragan?
2349 *Ms. Barragan. Barragan votes aye.
2350 *The Clerk. Ms. Barragan votes aye.
2351 Mr. McEachin?
2352 [No response.]
2353 *The Clerk. Ms. Blunt Rochester?
2354 *Ms. Blunt Rochester. Ms. Blunt Rochester votes aye.
2355 *The Clerk. Ms. Blunt Rochester votes aye.
2356 Mr. Soto?
2357 *Mr. Soto. Soto votes aye.
2358 *The Clerk. Mr. Soto votes aye.
2359 Mr. O'Halleran?
2360 *Mr. O'Halleran. O'Halleran votes aye.
2361 *The Clerk. Mr. O'Halleran votes aye.
2362 Miss Rice?
2363 *Miss Rice. Rice votes aye.
2364 *The Clerk. Miss Rice votes aye.
2365 Ms. Craig?
2366 *Ms. Craig. Craig votes aye.
2367 *The Clerk. Ms. Craig votes aye.
2368 Ms. Schrier?
2369 *Ms. Schrier. Schrier votes aye.
2370 *The Clerk. Ms. Schrier votes aye.

2371 Mrs. Trahan?

2372 *Mrs. Trahan. Trahan votes aye.

2373 *The Clerk. Mrs. Trahan votes aye.

2374 Mrs. Fletcher?

2375 *Mrs. Fletcher. Fletcher votes aye.

2376 *The Clerk. Mrs. Fletcher votes aye.

2377 Mrs. Rodgers?

2378 *Mrs. Rodgers. [Inaudible.]

2379 *The Clerk. Mrs. Rodgers votes no.

2380 Mr. Upton?

2381 *Mr. Upton. No.

2382 *The Clerk. Mr. Upton votes no.

2383 Mr. Burgess?

2384 [No response.]

2385 *The Clerk. Mr. Scalise?

2386 [No response.]

2387 *The Clerk. Mr. Latta?

2388 *Mr. Latta. [Inaudible.]

2389 *The Clerk. Mr. Latta votes no.

2390 Mr. Guthrie?

2391 *Mr. Guthrie. No.

2392 *The Clerk. Mr. Guthrie votes no.

2393 Mr. McKinley?

2394 *Mr. McKinley. [Inaudible.]

2395 *The Clerk. Mr. McKinley votes no.

2396 Mr. Kinzinger?

2397 *Mr. Kinzinger. Kinzinger, no.

2398 *The Clerk. Mr. Kinzinger votes no.

2399 Mr. Griffith?

2400 [No response.]

2401 *The Clerk. Mr. Bilirakis?

2402 *Mr. Bilirakis. [Inaudible.]

2403 *The Clerk. Mr. Bilirakis votes no.

2404 Mr. Johnson?

2405 *Mr. Johnson. Johnson votes no.

2406 *The Clerk. Mr. Johnson votes no.

2407 Mr. Long?

2408 *Mr. Long. No.

2409 *The Clerk. Mr. Long votes no.

2410 Mr. Bucshon?

2411 *Mr. Bucshon. Bucshon votes no.

2412 *The Clerk. Mr. Bucshon votes no.

2413 Mr. Mullin?

2414 [No response.]

2415 *The Clerk. Mr. Hudson?

2416 *Mr. Hudson. Hudson votes no.

2417 *The Clerk. Mr. Hudson votes no.

2418 Mr. Walberg?

2419 *Mr. Walberg. Walberg votes no.

2420 *The Clerk. Mr. Walberg votes no.

2421 Mr. Carter?

2422 *Mr. Carter. Carter --

2423 *Mr. Mullin. Mullin votes no.

2424 *Mr. Carter. -- votes no.

2425 *The Clerk. Mr. Carter votes no.

2426 Mr. Duncan?

2427 *Mr. Duncan. Duncan of South Caroline, no.

2428 *The Clerk. Mr. Duncan votes no.

2429 Mr. Palmer?

2430 *Mr. Palmer. Palmer, Alabama, no.

2431 *The Clerk. Mr. Palmer votes no.

2432 Mr. Dunn?

2433 *Mr. Dunn. Dunn votes no.

2434 *The Clerk. Mr. Dunn votes no.

2435 Mr. Curtis?

2436 *Mr. Curtis. Curtis votes no.

2437 *The Clerk. Mr. Curtis votes no.

2438 Mrs. Lesko?

2439 *Mrs. Lesko. Lesko votes no.

2440 *The Clerk. Mrs. Lesko votes no.

2441 Mr. Pence?

2442 *Mr. Pence. Pence votes no.

2443 *The Clerk. Mr. Pence votes no.

2444 Mr. Crenshaw?

2445 *Mr. Crenshaw. Crenshaw votes no.

2446 *The Clerk. Mr. Crenshaw votes no.
2447 Mr. Joyce?
2448 *Mr. Joyce. Joyce votes no.
2449 *The Clerk. Mr. Joyce votes no.
2450 Mr. Armstrong?
2451 *Mr. Armstrong. No.
2452 *The Clerk. Mr. Armstrong votes no.
2453 Chairman Pallone?
2454 *The Chairman. Pallone of New Jersey votes yes.
2455 *The Clerk. Pallone votes yes.
2456 *Mr. Scalise. Scalise votes no.
2457 *The Chairman. Mr. Scalise votes no.
2458 *The Clerk. Mr. Scalise votes no.
2459 *The Chairman. Anyone else who is --
2460 *Voice. He did?
2461 *Voice. He did vote.
2462 *The Chairman. Well, we can ask him again. You want to
2463 -- we see him on the screen. He is on the screen.
2464 *Mr. Mullin. Did you record Mullin?
2465 *The Clerk. Mr. Mullin is not recorded.
2466 *Mr. McEachin. Mr. Chairman? Mr. Chairman, this is
2467 McEachin of --
2468 *The Chairman. Mullin is --
2469 *Mr. McEachin. Mr. Chairman, this is McEachin of
2470 Virginia. How am I recorded?

2471 *The Chairman. Let's go to Mr. Mullin, because I can
2472 see him.

2473 Markwayne, how are you -- how do you want to vote?

2474 [No response.]

2475 *The Chairman. He doesn't hear us. Mr. Mullin, did you
2476 -- you didn't hear how he voted? Nobody did?

2477 *The Clerk. His voice, I didn't hear his --

2478 *The Chairman. Oh, he is back. He is back.

2479 Mr. Mullin, how do you want to vote?

2480 *Mr. Mullin. Votes no.

2481 *The Chairman. Mullin votes no.

2482 *The Clerk. Mr. Mullin votes no.

2483 *The Chairman. And then you have McEachin.

2484 Mr. McEachin --

2485 *Mr. McEachin. McEachin votes yes.

2486 *The Clerk. Mr. McEachin votes yes.

2487 *The Chairman. Does anyone else want to vote who is not
2488 recorded?

2489 Do you see anybody else?

2490 I think that is it, unless -- all right. The clerk will
2491 report the tally.

2492 *The Clerk. On that vote, Mr. Chairman, the yeas were
2493 32, and the nays were 24.

2494 *The Chairman. Thirty-two to twenty-four.

2495 *Mrs. Rodgers. Mr. --

2496 *The Chairman. Did you have someone else?

2497 *Mrs. Rodgers. No.

2498 *The Chairman. Okay, so the vote is 32 ayes to 24 noes.

2499 H.R. 3291, as amended, is reported to the full House.

2500 *Mrs. Rodgers. Mr. Chair?

2501 *The Chairman. Yes.

2502 *Mrs. Rodgers. Pursuant to clause 2(1) of rule 11, I
2503 intend to file views for inclusion in the report to the House
2504 on this legislation, and ask for two additional days to file
2505 such views.

2506 *The Chairman. Without objection, so ordered.

2507 And now we are going to move to the next bill. The
2508 chair calls up H.R. 3293, the Low-Income Water Customer
2509 Assistance Programs Act of 2021, as forwarded by the
2510 Subcommittee on Environment and Climate Change, and the clerk
2511 will report the bill.

2512 *The Clerk. Committee print showing the text of H.R.
2513 3293, as forwarded by the Subcommittee on Environment and
2514 Climate Change. Section --

2515 *The Chairman. Without objection, Madam Clerk, the
2516 first reading of the bill will be dispensed with, and the
2517 bill is now considered as read and, without objection, the
2518 bill is considered as read and open for amendment at any
2519 point.

2520

2521 [The bill follows:]

2522

2523 *****COMMITTEE INSERT*****

2524

2525 *The Chairman. Now, let's start with members who would
2526 like to speak on the underlying bill. I guess I will
2527 recognize myself first. I move to strike the last word to
2528 speak on the underlying bill.

2529 And I support this bill, and I want to thank my friend
2530 and colleague, the congresswoman from Delaware, for her
2531 leadership on this legislation. We are very fortunate on
2532 this committee and in this Congress that we have so many
2533 members that care deeply about access to safe and affordable
2534 drinking water. I know this bill has been developed in
2535 partnership with Representatives Dingell and Tlaib, and I
2536 want to thank all the bill's sponsors for their work on this
2537 issue.

2538 The Low-Income Water Customer Assistance Program Act
2539 would create a permanent -- well, permanent assistance
2540 programs administered by EPA to help low-income customers
2541 afford their water bills. The programs would be similar to
2542 the Low-Income Home Energy Assistance Program, or LIHEAP,
2543 which has been an essential safety net for struggling
2544 families. We were able to create an emergency program to
2545 provide the support during the COVID-19 pandemic at the end
2546 of last year. But the need is not going away, and neither
2547 should the support.

2548 As the regulatory agency with expertise in drinking
2549 water and wastewater, including the affordability of water

2550 standards, EPA has the knowledge and relationships to
2551 implement this program to ensure that all Americans have
2552 access to safe and affordable drinking water. EPA is also
2553 best suited to work with utilities, and distribute the grant
2554 program efficiently.

2555 So I support this bill. I urge my colleagues to do the
2556 same, and I yield the remainder of my time to the
2557 congresswoman from Delaware, Ms. Blunt Rochester.

2558 *Ms. Blunt Rochester. Thank you so much, Mr. Chairman,
2559 and thank you for inclusion of our bill in the markup today.

2560 Water affordability and reliable access to clean water
2561 are significant challenges that millions of households across
2562 our nation face every day. In almost every part of the
2563 country, more and more families are struggling to pay their
2564 utility bills, particularly in low-wealth communities and
2565 communities of color.

2566 As has been said, every person in this country deserves
2567 clean, reliable, and safe drinking water and sanitation
2568 services. It is fundamental. H.R. 3293, the Low-Income
2569 Water Customer Assistance Act of 2021, would provide much-
2570 needed relief for countless Americans in need. It would also
2571 help communities make crucial upgrades to our aging drinking
2572 water and wastewater infrastructure.

2573 Since the 1970s, 50 years ago, Federal funding for water
2574 systems has fallen, and upgrades are long overdue. Every

2575 year we waste more than \$6 billion to water leaks, alone.
2576 And the Environmental Protection Agency estimates that
2577 maintaining and upgrading the nation's drinking water and
2578 wastewater systems will cost more than \$750 billion over the
2579 next 20 years. Americans should not have to wait decades for
2580 clean and safe water. And as a country, we should not have
2581 to wait decades to meet the resiliency challenges of climate
2582 change.

2583 Access to water is a basic need that we can and should
2584 deliver to all Americans. I am proud to have introduced this
2585 legislation, this bipartisan legislation, with my Republican
2586 colleague from New York, Representative John Katko, and my
2587 Democratic colleagues under the strong leadership of
2588 Representative Debbie Dingell and Rashida Tlaib from
2589 Michigan.

2590 I urge my colleagues to join me in supporting this
2591 legislation. And I thank you, Mr. Chairman, and I yield
2592 back.

2593 *The Chairman. I thank the gentlewoman, and I yield
2594 back.

2595 Does anyone else -- the ranking member is recognized for
2596 five minutes.

2597 *Mrs. Rodgers. Thank you, Mr. Chairman. I,
2598 unfortunately, oppose the introduced version of H.R. 3293,
2599 the Low-Income Water Customer Assistance Program, for a

2600 couple of reasons.

2601 First, this legislation creates a permanent, new income
2602 support program at the Environmental Protection Agency. This
2603 would be the first entitlement program of any kind at EPA.
2604 EPA does not have the in-house experience or the
2605 infrastructure in place to carry out this program.

2606 Second, this legislation creates a two-tiered system for
2607 small drinking water systems and everyone else. Drinking
2608 water utilities serving 10,000 people or less have to go
2609 through their state to obtain funding if these -- if those
2610 systems must have 20 percent of their customers below poverty
2611 level. Any drinking or wastewater system larger than that
2612 gets money directly from the EPA, and there is no community
2613 poverty level requirement that governs eligibility.

2614 This bill also excludes aid to low-income persons and
2615 those on disability, unless it comes to them from a state,
2616 and only because of their water utility -- and only because
2617 their water utility serves an area with less than 10,000
2618 persons, and a poverty level of 20 percent or more.

2619 Third, the aid provided in this legislation is meant to
2620 be additive (sic) to anything that already exists. Congress
2621 has already spent \$4 billion on drinking water rate
2622 assistance. These amounts were for temporary programs: 500
2623 million in the omnibus and 3.5 billion in reconciliation.
2624 That is a lot of money. We wrote to OMB the first week of

2625 February to find out what happened to all this money.

2626 And Mr. Chairman, without objection, I would like to
2627 enter this letter into the record.

2628 [No response.]

2629 *Mrs. Rodgers. So we wrote on February 4th --

2630 *The Chairman. Without --

2631 *Mrs. Rodgers. Okay?

2632 *The Chairman. Without objection, so ordered.

2633 [The information follows:]

2634

2635 *****COMMITTEE INSERT*****

2636

2637 *Mrs. Rodgers. Thank you, Mr. Chairman.

2638 Four months later, no response.

2639 I asked Administrator Regan at our EPA budget hearing
2640 what happened to that money. No response, and then nothing
2641 six weeks later.

2642 We need to know how this money is being used in a short-
2643 term way before considering permanent authorizations.

2644 Fourth, the legislation focuses EPA and other public
2645 health departments on seeking out and maximizing the roles of
2646 people eligible for this program. Outreach and information
2647 is one thing, but active recruitment designed to ensure
2648 program need and maximize program participation raises
2649 questions on what the real purpose of the program is.

2650 Fifth, for those of my colleagues who think this program
2651 will cover the increased costs on water systems that are
2652 required by the AQUA Act, I would argue that trust is
2653 misplaced. Regulatory requirements are a certainty, but
2654 levels of an appropriation to cover those costs never are.

2655 In addition, using this program to cover those debt
2656 measures, you intend (sic) higher cost, you aren't concerned
2657 about the rising cost on working-class and middle-income
2658 Americans and small businesses. What is really happening is
2659 a federalizing of local utility pricing.

2660 Sixth, and most importantly, this bill establishes
2661 requirements for a grant-awarding program, while at the same

2662 time instructing EPA to study the water customer
2663 affordability problem to figure out what it is, how big it
2664 is, and the best ways to solve it. This seems like the most
2665 logical first step to take, rather than a throwaway action
2666 done after the fact.

2667 This bill creates a separate permanent program at EPA
2668 from the temporary one at Health and Human Services. It will
2669 spend twice the amount that has already been spent for this
2670 purpose, and there is no assurance that it will be
2671 successful.

2672 The intent of the bill is well-meaning, but there is
2673 many reasons to urge restraint. And I am seeing I am, like,
2674 way over.

2675 Oh, okay, okay, very good. Just -- okay. For those
2676 reasons I urge opposition, and I yield back.

2677 *The Chairman. I thank the ranking member.

2678 Is there anyone else who wants to speak on the
2679 underlying bill?

2680 The gentleman from New York, Mr. Tonko.

2681 *Mr. Tonko. Yes, Mr. Chairman, I move to strike the
2682 last word.

2683 *The Chairman. The gentleman is recognized.

2684 *Mr. Tonko. Thank you. First, let me applaud the
2685 efforts of our colleagues, Representative Blunt Rochester,
2686 Katko, Dingell, and Tlaib. Certainly, it shows great

2687 sensitivity toward those ratepayers who are impacted by
2688 rising costs for water.

2689 It has been made abundantly clear here that it is a,
2690 indeed, essential commodity, one that speaks to every life
2691 and every job. Water is part of every life and every job.
2692 And I believe the Low-Income Water Customer Assistance
2693 Program Act will reflect the great success of the Low-Income
2694 Home Energy Assistance Program, which has been very
2695 beneficial to households that, again, struggle to make
2696 payment for that essential commodity.

2697 I think also, as we continue to see the injustice as it
2698 relates to the amount of Federal assistance for our systems,
2699 our water systems, we need to be responsive to those
2700 households that are paying for that weak partnership from
2701 Washington. We even look at the comparison of contributions
2702 to transportation-related infrastructure as it relates to
2703 water infrastructure. It pales in comparison. We put much
2704 more, percentage-wise, into our transportation networks.

2705 For the many, many reasons that there are difficulties
2706 for many to pay these bills, I, again, appreciate the efforts
2707 made by our colleagues here in establishing this low-income
2708 water customer assistance program. And with that, I yield
2709 back.

2710 *The Chairman. I thank the gentleman. I -- do we have
2711 some other speakers?

2712 Dr. Bucshon is recognized.

2713 *Mr. Bucshon. I move to strike the last word.

2714 *The Chairman. The gentleman is recognized.

2715 *Mr. Bucshon. I want to agree with the ranking member
2716 on her comment about federalization.

2717 Again, going along with my initial statement at the
2718 beginning of this markup, that we are letting local and state
2719 leaders off the hook for decades of ignoring this problem
2720 both in urban and rural areas, and I just -- I think it is a
2721 mistake to also put this in the hands of the EPA. The EPA
2722 can barely do the job that they are tasked to do now on many
2723 issues, in fairness, because of maybe staffing shortages, but
2724 also the bureaucracy that is in place under administrations
2725 of both political parties.

2726 So I think it is -- again, federalizing everything that
2727 we do in the United States is a mistake. And we need to
2728 allow constituents, our constituents, to hold local and state
2729 leaders accountable for the lack of attention to these
2730 issues.

2731 I yield back.

2732 *The Chairman. I thank the gentleman. The gentlewoman
2733 from Michigan, Mrs. Dingell, is recognized.

2734 *Mrs. Dingell. Thank you, Mr. Chairman. I move to
2735 strike the last word.

2736 *The Chairman. The gentlewoman is recognized.

2737 *Mrs. Dingell. Mr. Chairman and my fellow committee
2738 members, as I mentioned at the subcommittee markup last week,
2739 this is a common-sense bill that would make a real difference
2740 in the health and well-being of millions of families in every
2741 congressional district across the country. And I am pleased
2742 to be an original co-lead, and a strong supporter of this
2743 effort.

2744 When the pandemic hit, before we knew about masks, and
2745 we all got into the controversy of masks, the most important
2746 thing public health experts told us was to wash your hands.
2747 And it still remains the most important thing we can do, not
2748 only for COVID, but so many other public health crises. And
2749 there are too many people across the country who did not have
2750 running water in their homes. They didn't have bathrooms
2751 that worked. This is a crisis.

2752 This bill would establish a new permanent water
2753 assistance program through the EPA for low-income households
2754 to be able to access drinking water and wastewater services.
2755 For many decades now we have had a similar program for energy
2756 -- I wasn't here when it was created -- the LIHEAP program,
2757 that has proven to be effective Federal assistance to help
2758 manage costs associated with home energy bills, energy
2759 crises, weatherization, and energy-related minor home
2760 repairs. People shouldn't freeze to death in the winter, and
2761 we can and must do the same thing for something as vital to

2762 sustaining life as clean water.

2763 I question whether this should be the EPA. I said that
2764 to my colleagues, but I did a lot of research on it, I did a
2765 lot of discussions with my colleagues who are cosponsoring
2766 this, and housing this program under EPA -- experts agree
2767 that they have got the experience and expertise with water
2768 systems, and that this would ensure a smooth implementation.

2769 Additionally, the effects of unpaid bills also impairs
2770 water systems' ability to maintain and improve its delivery
2771 system and infrastructure. So this is a win for our water
2772 utilities, as well.

2773 I urge all of my colleagues, Republicans and Democrats,
2774 to think about supporting this critical bill, and to advance
2775 it favorably to the House floor without delay.

2776 I guess I am reminded of Matthew: "When I was thirsty,
2777 you gave me to drink.'" And I just don't think any person in
2778 America should not have access to clean, affordable drinking
2779 water. It is a fundamental human right, and no one should be
2780 denied.

2781 Thank you, and I yield back.

2782 *The Chairman. I thank the gentlewoman.

2783 Anyone else who wants to speak on the underlying bill?

2784 No, it is a -- underlying bill? No?

2785 *Ms. Schakowsky. Yes. No, I do.

2786 *The Chairman. Yes. I don't think we have a

2787 Republican, so yes. The gentlewoman from Illinois is
2788 recognized.

2789 *Ms. Schakowsky. Okay. I just want -- I don't -- the
2790 passion that you just heard from Congresswoman Dingell is
2791 really well-deserved.

2792 You know, I have heard a lot of sympathy, and I don't
2793 disagree with it, for small water utilities. And, you know,
2794 to make sure that they get paid. That is -- yes. But there
2795 are people who can't afford to pay their water bills in this
2796 country, in this richest country in the world, water. And as
2797 she pointed out, we are telling people, "Wash your hands,
2798 wash your hands.'" You don't even -- can't even afford water
2799 to come out of your spigot.

2800 Come on, we have to make sure that everyone has the
2801 ability to have the water that they need. This legislation
2802 will make sure that that happens. This isn't about
2803 freeloaders. This isn't about people who somehow squandered
2804 money that they should have had for their water bill. This
2805 is about people who simply can't afford to pay. And let's
2806 help those people to make sure, in this great rich country,
2807 can have water, clean water, safe water.

2808 And I yield back.

2809 *The Chairman. I thank the gentlewoman.

2810 Does anyone else want to speak on the underlying bill,
2811 either here, in person, or virtually?

2812 All right, then we are going to go to amendments.

2813 Are there amendments?

2814 *Mr. Duncan. Mr. Chairman, I have an amendment at the
2815 desk.

2816 *The Chairman. Yes, the gentleman -- do we have the
2817 gentleman's amendment?

2818 *Mr. Duncan. It is number 3293FC-01.

2819 *The Clerk. Yes, sir, I have the amendment.

2820 *The Chairman. The clerk will report the amendment.

2821 *The Clerk. Amendment to the committee print for H.R.
2822 3293, offered by Mr. Duncan of South Carolina. Strike
2823 sections 2 and 3, page 24; strike lines 8 through 10 in
2824 section 4 --

2825 *The Chairman. Without objection, Madam Clerk, the
2826 reading of the Duncan amendment will --

2827 *Ms. DeGette. Mr. Chairman, I reserve a point of order.

2828 *The Chairman. -- be dispensed with.

2829 [The amendment of Mr. Duncan follows:]

2830

2831 *****COMMITTEE INSERT*****

2832

2833 *The Chairman. The gentlewoman from Colorado reserves a
2834 point of order.

2835 Mr. Duncan is recognized for five minutes.

2836 *Mr. Duncan. Thank you, Mr. Chairman. You know, I
2837 opposed the introduced version of H.R. 3293, the Low-Income
2838 Water Customer Assistance Program for several reasons.

2839 I think our minds are already made up in this room, but
2840 what I would urge my colleagues to do is listen to some
2841 details about this particular program. As Ranking Member
2842 McMorris Rodgers said, let me reiterate that this would be
2843 the first aid program of its kind at the EPA, the first one.

2844 As we learned from the subcommittee hearing, EPA does
2845 not have the in-house experience or the infrastructure in
2846 place to even carry out this program.

2847 We also know that this legislation creates a two-tiered
2848 system for smaller, likely rural, poorer drinking water
2849 systems, and then one for everyone else. Any larger drinking
2850 or wastewater system can get its money directly from the EPA,
2851 regardless of the poverty rate for its service territory. In
2852 addition, the aid provided under this legislation is meant to
2853 be additive to anything that already exists.

2854 Now, this seems odd if this new program is supposed to
2855 be the main water rate deferral program, unless it is trying
2856 to preempt something that otherwise would limit it.

2857 Finally, and I think most importantly, this bill

2858 requires a national needs assessment, while at the same time
2859 it instructs the EPA to study the water customer
2860 affordability problem, to figure out what it is, how big it
2861 is, and the best ways to solve it.

2862 Let me reiterate that. This bill requires a national
2863 needs assessment, while at the same time instructing the EPA
2864 to study the water customer affordability problem, to figure
2865 out what it is, how big it is, and the best ways to solve it.
2866 Now, this just seems backwards to me. The most logical first
2867 step is to study this first, rather than to do so after the
2868 fact. We don't even know how big the problem is. We all
2869 acknowledge there might be a problem, but we don't know how
2870 big it is, we don't know how widespread it is. And we are
2871 creating a new program at the EPA to do this.

2872 So my amendment would do just that. Let's study the
2873 problem first, and then figure out how to fix the problem,
2874 versus fixing a problem that we don't know all the details
2875 of: how big it is, how broad it is, et cetera. So it
2876 strikes the billing offset programs for drinking water and
2877 wastewater, and puts the focus on figuring out the size and
2878 scope of the problem, as well as the best way to attack it.
2879 Let's come up with a plan with information first, before
2880 authorizing an \$8 billion program and funding it.

2881 So, in addition, I have the GAO, the Government
2882 Accountability Office, carry out this study to ensure an

2883 experienced, neutral party is both investigating, as well as
2884 making recommendations. I know the underlying bill has EPA
2885 doing this, but I believe we cannot forget that EPA would not
2886 be just building this program from scratch, but also
2887 operating on its own for the first time without the personnel
2888 or the logistics to do it, because they said so. They said
2889 so, I didn't say so, they said so.

2890 So I recognize the intent of the bill is well-meaning,
2891 and I might get to a point where I could support something
2892 like this, but I question whether this is the best way to
2893 handle this matter at this time.

2894 So billions of dollars in this kind of aid have already
2895 been handed out by someone other than the EPA. If EPA is
2896 going to be given a program like this, there needs to be a
2897 greater consideration of what is -- execution looks like. I
2898 believe this -- that is the right way, this amendment is the
2899 right way to approach this subject: study the problem,
2900 figure out how big it is, figure out how broad it is, what
2901 the scope is, maybe work with the EPA during that timeframe
2902 on their logistics, their needs, so they can manage the
2903 program.

2904 A vote for this amendment is a vote for the taxpayers
2905 and for responsible government. I am not saying that we
2906 don't do this program down the road, that might be the
2907 responsible thing to do, but we don't even know. We are

2908 operating based on our passion and our understanding, and
2909 maybe we would change our mind if we knew how broadly the
2910 need was.

2911 So I urge my colleagues to support my amendment. Let's
2912 study the issue before we fund the issue and create a brand-
2913 new program at the EPA that they say they can't handle right
2914 now.

2915 And with that I will yield back the balance of my time.
2916 And, Mr. Chairman, I will request a recorded vote at the
2917 appropriate time.

2918 *The Chairman. I thank the gentleman.

2919 Mr. Tonko is recognized.

2920 *Mr. Tonko. Yes, Mr. Chair. I move to strike the last
2921 word to speak in opposition to the amendment.

2922 *The Chairman. The gentleman is recognized for five
2923 minutes.

2924 *Mr. Tonko. Thank you. As we gather here, there are
2925 families that are struggling to pay those water bills. This
2926 substitute amendment would replace a much-needed rate
2927 assistance program with a study. A study will not help those
2928 struggling families pay their bills. The assistance programs
2929 are the point of the legislation, and the reason it enjoys so
2930 much stakeholder support.

2931 You know, the Association of Metropolitan Water
2932 Agencies, the National Association of Clean Water Agencies,

2933 even the U.S. Chamber of Commerce support this bill, because
2934 it will provide much-needed funds for families and water
2935 systems.

2936 This amendment would leave nothing but a study. A GAO
2937 study could be requested by a letter. We don't need to pass
2938 a bill. But while I support doing this study so that we can
2939 perhaps ensure we are providing the most effective support,
2940 as this permanent program moves forward, it is indeed no
2941 substitute for the actual support.

2942 So this amendment suggests that my Republican colleagues
2943 don't understand the struggles of families across the country
2944 who have a hard time paying their bills. Families need help.
2945 They need help now. And I hope my Republican colleagues can
2946 understand that, and I urge my colleagues to oppose this
2947 amendment so that we can get families the help they need with
2948 the passage of --

2949 *Mr. Duncan. Will the gentleman yield?

2950 *Mr. Tonko. Yes, sir.

2951 *Mr. Duncan. Thank you. I think Republicans are
2952 sympathetic to the need of help for people paying their
2953 bills. But this is, "I am from the government, I am here to
2954 help," without even knowing what the problem -- how big the
2955 problem is. In fact, the problem could be much broader than
2956 what you even think. We could need more than \$8 billion. We
2957 have no idea.

2958 All I am saying is let's study the issue, let's allow
2959 the Government Accountability Office to actually give us the
2960 information, the details, before we have some sort of snap,
2961 knee-jerk reaction to this need. And I am not saying the
2962 need is not there. I am not saying the need is not great. I
2963 am saying we don't know. And that is all I am asking, is
2964 let's do the study first, and then let's come back and have
2965 this conversation with the information and the knowledge,
2966 because it might be broader, it might need more money. We
2967 have no idea at this point.

2968 And with that I will yield back.

2969 *Mr. Tonko. Well, to my friend from South Carolina, I
2970 only respond let's start the program. If we need to further
2971 amend, we will get there.

2972 But with that I yield back.

2973 *The Chairman. Thank you. All right, just -- we are on
2974 the Duncan amendment, and I -- oh, yes, a Republican.

2975 Anyone on the Republican side want to speak on the
2976 Duncan amendment?

2977 If not, is there any -- oh, we do have, virtually, Ms.
2978 Blunt Rochester. The gentlewoman from Delaware is
2979 recognized.

2980 *Ms. Blunt Rochester. Thank you, Mr. Chairman. I move
2981 to strike the last words and speak in opposition.

2982 *The Chairman. The gentlewoman is recognized.

2983 *Ms. Blunt Rochester. Thank you, Mr. Chairman. You
2984 know, I actually have a statement that is typed up, and
2985 written up, and beautiful, but I want to really just respond
2986 to some of the comments -- the amendment, as well as some of
2987 the comments that have been stated.

2988 First of all, I am very grateful to Mrs. Dingell for her
2989 -- sharing what she shared about the intention of this bill,
2990 and that it really is to serve all of our constituents,
2991 regardless of zip code, income, community where you come
2992 from. We all know you deserve the right to clean, and
2993 reliable, safe drinking water and sanitation services.

2994 For me, this bill is personal, because it goes back to
2995 years ago, over 20 years ago, seeing Delawareans in rural
2996 parts of my state that did not have access to clean drinking
2997 water, and I never forgot that. And coming to Congress, I am
2998 so proud that we have an opportunity to do something that
2999 really will make a difference in people's lives.

3000 And a couple of the challenges that I have heard with
3001 this is that, number one, the concern about rural
3002 communities, and number two, a needs assessment, and that
3003 maybe we should do a study before. And then, number three,
3004 that it is a new program.

3005 You know, as far as it being -- the concerns about a
3006 rural community, I come from a state where it is urban,
3007 suburban, and rural. So it is important to me that my

3008 legislation addresses my constituents in communities all over
3009 Delaware. It is critically important. And that is why I
3010 worked for the support and endorsement of the Rural Community
3011 Assistance Partnership on this legislation.

3012 And at this point, I would like to offer a letter of the
3013 Rural Community Assistance Partnership of Support into the
3014 record.

3015 *The Chairman. Do we have that letter?

3016 [No response.]

3017 *The Chairman. Send it electronically? I mean, I have
3018 only been -- we should have it before we --

3019 *Voice. Yes, yes, we could add it at the end.

3020 *The Chairman. All right, we will add it at the end.

3021 *Ms. Blunt Rochester. Okay, thank you.

3022 And then the second thing, about the needs assessment,
3023 again, we tried to really do broad-based outreach on the
3024 National and the Water Environment Federation, the American
3025 Water Works Association, the Association of Metropolitan
3026 Water Agencies, the Rural Community Assistance Partnership
3027 have all done surveys and documented the need. We know the
3028 need, but I am so glad one of my colleagues said, "The great
3029 thing about this bill is, when we get to the needs
3030 assessment, we will find out if the need is even greater.'"

3031 We know the need. We know that every minute that we
3032 wait, the need grows. And so the bill, in its current form,

3033 will ensure that, if we don't delay, that we will also have
3034 the opportunity to measure.

3035 And then the last item is that the program is new.
3036 Having been a person who worked in state government, county
3037 government, and now -- and also on the Federal level, I know
3038 that we are constantly doing new programs because we are
3039 trying to meet the needs in real time of our constituents.
3040 This is new. This is different. This is bold. And I am so
3041 proud of it, because we have an opportunity to do something
3042 that will directly impact our constituents.

3043 So I urge my colleagues to support this bipartisan bill
3044 that has broad-based support, that has many stakeholders who
3045 have been included, and that comes at a time when we are
3046 still in a pandemic. People need this support now, more than
3047 ever. I thank you. I urge my colleagues to oppose this
3048 amendment, to support our bill.

3049 And again, thank you so much to the leadership of
3050 Chairman Tonko, Chairman Pallone, Debbie Dingell,
3051 Representative Katko, and Representative Tlaib, and all of
3052 those constituents who are waiting for this help.

3053 Thank you, and I yield back.

3054 *The Chairman. I thank the gentlewoman. We are on the
3055 Jeff Duncan amendment.

3056 Does anyone else -- yes, the gentleman is recognized for
3057 five minutes to strike the last word.

3058 *Mr. Palmer. I move to strike the last word. Thank
3059 you, Mr. Chairman.

3060 Prior to being in Congress, and prior to running a think
3061 tank, I worked for two international engineering companies.
3062 And this reminds me of something we used to kind of jokingly
3063 say during the time that I have worked for the engineering
3064 company: "There is always time -- there is never time to do
3065 it right, there is always time to do it over.'" And this is
3066 so typical of what Congress and the Federal Government does:
3067 we create a program, we don't take the time to evaluate the
3068 need, we don't take time to make sure that we design the
3069 program to meet the need, we just create a program. And we
3070 throw money at it. And then, when they screw things up, we
3071 throw more money at it.

3072 You know, you talk -- there is a lot of talk about the
3073 lack of bipartisanship. Mr. Duncan has introduced a sensible
3074 amendment to do a study and, in an engineering perspective,
3075 make sure that we design an effective and efficient program
3076 to meet the needs.

3077 I grew up dirt poor. My grandparents cooked with a wood
3078 stove. We got well -- we got water out of a well. I
3079 understand that.

3080 Are you listening, Mr. Chairman? I would appreciate the
3081 chairman's attention. Mr. Chairman?

3082 *The Chairman. Yes, Mr. Palmer?

3083 *Mr. Palmer. I know that was an engaging conversation,
3084 but I would appreciate your attention to this.

3085 *The Chairman. I am sorry.

3086 *Mr. Palmer. These are serious matters. And my point
3087 is the points made by my colleagues on the Democrat side of
3088 the aisle are important points, but Mr. Duncan's amendment is
3089 a reasonable amendment.

3090 All that we are asking is, before we create another
3091 Federal program for an agency that has admitted they don't
3092 have the capacity to do the program, is to take the time to
3093 do a serious, comprehensive analysis, and make sure that we
3094 design an effective and efficient program, and not do what we
3095 do so often in Congress, is create a program, throw money at
3096 it, and if it screws up, throw more money at it. So --

3097 *The Chairman. Will the gentleman yield to me a minute?

3098 *Mr. Palmer. I yield.

3099 *The Chairman. I mean, look, I understand where you are
3100 coming from, but I want you to know that we have spent a lot
3101 of time analyzing this, and we do feel that there is a great
3102 need.

3103 And look, believe me, whether it is Mrs. Dingell, or it
3104 is Ms. Tlaib, or it is the other, you know, members from
3105 Michigan, they just constantly, you know, talk to us about
3106 this, and provide us with information about the problem,
3107 nationwide.

3108 So, I mean, I am sure whatever will be done is not going
3109 to satisfy you that we have done enough to show the need, but
3110 I don't want you to think that we haven't spent a tremendous
3111 amount of time trying to figure this out, because we have.

3112 But I will yield back to the gentleman.

3113 *Mr. Palmer. I thank the gentleman. I yield to Mr.
3114 Duncan.

3115 *Mr. Duncan. I thank the gentleman for that. And look,
3116 I am not trying to derail this effort.

3117 Ronald Reagan once said that the closest thing to
3118 everlasting life here on Earth, I think, was a government
3119 program. And we are creating a new one for an agency that
3120 says they don't have the ability to administer this program
3121 at this time.

3122 And, Mr. Chairman, it is not just Michigan. You may
3123 have heard from the Michigan delegation, but affordability of
3124 water, probably, is nationwide. I know I am from South
3125 Carolina, but we are a rural state. I represent a lot of
3126 poverty in South Carolina, people that probably need some
3127 assistance with their water, but we passed legislation like
3128 we just did a few minutes ago out of this committee, and we
3129 pass it out of Congress. It requires and puts requirements
3130 on water systems to do certain things that cost them money.
3131 The Federal Government doesn't always provide that money for
3132 those water systems or municipalities to do that.

3133 So we pass legislation requiring them to do things that
3134 drive their cost up. They have to pass those costs on to
3135 somebody. That ends up being the consumer. So we are
3136 creating a problem with that legislation, and then we are
3137 funding the problem with this legislation. That is not what
3138 government is supposed to do, create a problem and then throw
3139 money at it and subsidize it.

3140 We are acknowledging that there may be an issue, broad
3141 issue across the nation, where people need more affordable
3142 water, or maybe government subsistence to help. We are not
3143 poo-pooing this program. What we are saying is let's study
3144 it. Let's see how broad it may be. It may be much broader
3145 than the authors of this legislation even know. And that is
3146 the thing: we don't know, because we are not taking the
3147 necessary time before we spend \$8 billion of our taxpayer
3148 money.

3149 People work hard for their money, and we are taking it,
3150 \$8 billion, and we are giving a program the agency said they
3151 can't even run, and we don't even know how broad the program
3152 is. That is the issue that I am trying to address. And that
3153 is why we need a study before we pass another bill that
3154 creates another government program, and funds that at \$8
3155 billion.

3156 And with that I would yield back to the gentleman.

3157 *The Chairman. I thank the gentleman, and I am going to

3158 just strike the last word, and yield myself five minutes.

3159 Look, I am not looking to belabor this, but I just -- we
3160 all know, for the last three or four months around here,
3161 there has been efforts on the -- on behalf of the President,
3162 the Vice President of -- Senate, House, to come to a
3163 bipartisan agreement on an infrastructure bill. I don't know
3164 whether we are going to get there or not. You know, media
3165 keeps talking about it every day. I think the President is
3166 really going out of his way to try to achieve a bipartisan
3167 bill on infrastructure and that, you know, includes not only
3168 surface transportation, but the things within our
3169 jurisdiction.

3170 We have the Lift America Act. We had the Moving Forward
3171 Act that passed in the last Congress. That includes not only
3172 transportation issues, but water issues, both in the
3173 Transportation Committee and in this committee; brownfields;
3174 electricity; grid upgrade; broadband, a number of things. I
3175 don't know -- and it is not just, you know, bricks and
3176 mortar. It is also assistance programs. So when we talk
3177 about broadband, we -- I was at the White House with Mrs.
3178 Rodgers and our Senate equivalents. Mr. Doyle was there. We
3179 were not just talking about broadband build-out, we were
3180 talking about helping people connect with the build-out, or
3181 buy a computer, or be trained to use the computer.

3182 So all these things are necessary, whether it is water,

3183 whether it is broadband, whatever, whether it is hazardous
3184 waste, whatever, that are within this committee's
3185 jurisdiction. The bottom line is that, if we want to move on
3186 this jobs infrastructure agenda, which I know everybody does
3187 to some extent -- some don't want to spend as much as others
3188 -- we have to have an authorizing bill, which is what this
3189 committee is doing. But at the same time, we have to have
3190 money.

3191 And, you know, I don't know how much money, ultimately,
3192 is going to be part of this, you know, jobs infrastructure
3193 package. It may be that we come to an agreement, bipartisan,
3194 bicameral. It may be that we have to go the reconciliation
3195 route. Who knows, right? All these things are happening at
3196 the same time.

3197 But the bottom line is that this bill is an effort to
3198 try to address the affordability issue for water, drinking
3199 water, and the same way the previous bill, the AQUA Act, was
3200 an effort to achieve the bricks and mortar part. And, you
3201 know, we are going to try to get this out of committee, send
3202 it to the floor. We will see what happens.

3203 But I don't want you to think -- I know that the amount
3204 of money is -- you know, even though that is in this bill,
3205 you know, that could be more or less, depending where we go
3206 with this bipartisan, larger infrastructure package. But at
3207 this point, the bill that we are presenting today has been

3208 well thought out, both the AQUA Act, the bricks and mortar,
3209 as well as this affordability issue. It has been well
3210 thought out. We think the EPA can handle it.

3211 You guys disagree, I understand. But I just -- I don't
3212 want you to think that we are not thinking about this. And
3213 you have got to look at it in the broader context of what,
3214 ultimately, may happen on a bipartisan, bicameral basis.
3215 This is our piece of it. This is the Energy and Commerce
3216 piece of it.

3217 So with that I will yield back.

3218 Does anyone else want to speak? We are on the Duncan
3219 amendment.

3220 All right, then --

3221 *Ms. DeGette. Then I will withdraw my reservation.

3222 *The Chairman. You withdraw your reservation.

3223 The gentlewoman withdraws her point of order, so we will
3224 move to a vote on the Duncan amendment.

3225 All those --

3226 *Mr. Duncan. Mr. Chairman, I will just go ahead and ask
3227 for a roll call vote.

3228 *The Chairman. Oh, you want a recorded vote? Okay, we
3229 will go right to that.

3230 All right, a recorded vote is ordered on the Duncan
3231 amendment. Those in favor of the amendment will say aye,
3232 those opposed will say no, and the clerk shall call the roll.

3233 *The Clerk. Mr. Rush?
3234 [No response.]
3235 *The Chairman. Ms. Eshoo?
3236 *Ms. Eshoo. Eshoo of California votes no.
3237 *The Clerk. Ms. Eshoo votes no.
3238 Ms. DeGette?
3239 *Ms. DeGette. No.
3240 *The Clerk. Ms. DeGette votes no.
3241 Mr. Doyle?
3242 *Mr. Doyle. [Inaudible.]
3243 *The Clerk. Mr. Doyle votes no.
3244 Ms. Schakowsky?
3245 [No response.]
3246 *The Clerk. Mr. Butterfield?
3247 *Mr. Butterfield. Butterfield votes no.
3248 *The Clerk. Mr. Butterfield votes no.
3249 Ms. Matsui?
3250 *Ms. Matsui. Matsui votes no.
3251 *The Clerk. Ms. Matsui votes no.
3252 Ms. Castor?
3253 *Ms. Castor. [Inaudible.]
3254 *The Clerk. Ms. Castor votes no.
3255 Mr. Sarbanes?
3256 *Mr. Sarbanes. Sarbanes votes no.
3257 *The Clerk. Mr. Sarbanes votes no.

3258 Mr. McNerney?

3259 *Mr. McNerney. [Inaudible.]

3260 *The Clerk. Mr. McNerney votes no.

3261 Mr. Welch?

3262 *Mr. Welch. Mr. Welch votes no.

3263 *The Clerk. Mr. Welch votes no.

3264 Mr. Tonko?

3265 *Mr. Tonko. [Inaudible.]

3266 *The Clerk. Mr. Tonko votes no.

3267 Ms. Clarke?

3268 [No response.]

3269 *The Clerk. Mr. Schrader?

3270 *Ms. Clarke. Ms. Clarke of New York votes no.

3271 *The Clerk. Ms. Clarke votes no.

3272 Mr. Schrader?

3273 [No response.]

3274 *The Clerk. Mr. Cardenas?

3275 *Mr. Cardenas. Cardenas from California votes no.

3276 *The Clerk. Mr. Cardenas votes no.

3277 Mr. Ruiz?

3278 *Mr. Ruiz. Ruiz from California votes no.

3279 *The Clerk. Mr. Ruiz votes no.

3280 Mr. Peters?

3281 *Mr. Peters. Peters votes no.

3282 *The Clerk. Mr. Peters votes no.

3283 Mrs. Dingell?

3284 *Mrs. Dingell. [Inaudible.]

3285 *The Clerk. Mrs. Dingell votes no.

3286 Mr. Veasey?

3287 *Mr. Veasey. [Inaudible.]

3288 *The Clerk. Mr. Veasey votes no.

3289 Ms. Kuster?

3290 *Ms. Kuster. Kuster votes no.

3291 *The Clerk. Ms. Kuster votes no.

3292 Ms. Kelly?

3293 *Ms. Kelly. Kelly votes no.

3294 *The Clerk. Ms. Kelly votes no.

3295 Ms. Barragan?

3296 *Ms. Barragan. Barragan votes no.

3297 *The Clerk. Ms. Barragan votes no.

3298 Mr. McEachin?

3299 [No response.]

3300 *The Clerk. Ms. Blunt Rochester?

3301 *Ms. Blunt Rochester. Blunt Rochester votes no.

3302 *The Clerk. Ms. Blunt Rochester votes no.

3303 Mr. Soto?

3304 *Mr. Soto. Soto votes no.

3305 *The Clerk. Mr. Soto votes no.

3306 Mr. O'Halleran?

3307 *Mr. O'Halleran. O'Halleran votes no.

3308 *The Clerk. Mr. O'Halleran votes no.
3309 Miss Rice?
3310 *Miss Rice. Rice votes no.
3311 *The Clerk. Miss Rice votes no.
3312 Ms. Craig?
3313 *Ms. Craig. Craig from Minnesota votes no.
3314 *The Clerk. Ms. Craig votes no.
3315 Ms. Schrier?
3316 *Ms. Schrier. Schrier votes no.
3317 *The Clerk. Ms. Schrier votes no.
3318 Mrs. Trahan?
3319 *Mrs. Trahan. Trahan votes no.
3320 *The Clerk. Mrs. Trahan votes no.
3321 Mrs. Fletcher?
3322 *Mrs. Fletcher. Fletcher votes no.
3323 *The Clerk. Mrs. Fletcher votes no.
3324 *Ms. Schakowsky. Schakowsky votes no.
3325 *The Clerk. Ms. Schakowsky votes no.
3326 Mrs. Rodgers?
3327 [No response.]
3328 *The Clerk. Mr. Upton?
3329 *Mr. Upton. Upton votes aye.
3330 *The Clerk. Mr. Upton votes aye.
3331 Mr. Burgess?
3332 [No response.]

3333 *The Clerk. Mr. Scalise?
3334 *Mr. Scalise. Scalise votes aye.
3335 *The Clerk. Mr. Scalise votes aye.
3336 Mr. Latta?
3337 *Mr. Latta. [Inaudible.]
3338 *The Clerk. Mr. Latta votes aye.
3339 Mr. Guthrie?
3340 *Mr. Guthrie. Aye.
3341 *The Clerk. Mr. Guthrie votes aye.
3342 Mr. McKinley?
3343 *Mr. McKinley. [Inaudible.]
3344 *The Clerk. Mr. McKinley votes aye.
3345 Mr. Kinzinger?
3346 *Mr. Kinzinger. Kinzinger is aye.
3347 *The Clerk. Mr. Kinzinger votes aye.
3348 Mr. Griffith?
3349 [No response.]
3350 *The Clerk. Mr. Bilirakis?
3351 *Mr. Bilirakis. Bilirakis votes aye.
3352 *The Clerk. Mr. Bilirakis votes aye.
3353 Mr. Johnson?
3354 *Mr. Johnson. Johnson votes aye.
3355 *The Clerk. Mr. Johnson votes aye.
3356 Mr. Long?
3357 *Mr. Long. Aye.

3358 *The Clerk. Mr. Long votes aye.
3359 Mr. Bucshon?
3360 *Mr. Bucshon. Bucshon votes aye.
3361 *The Clerk. Mr. Bucshon votes aye.
3362 Mr. Mullin?
3363 *Mr. Mullin. Mullin votes aye.
3364 *The Clerk. Mr. Mullin votes aye.
3365 Mr. Hudson?
3366 *Mr. Hudson. Hudson votes aye.
3367 *The Clerk. Mr. Hudson votes aye.
3368 Mr. Walberg?
3369 *Mr. Walberg. Walberg votes aye.
3370 *The Clerk. Mr. Walberg votes aye.
3371 Mr. Carter?
3372 *Mr. Carter. Carter votes aye.
3373 *The Clerk. Mr. Carter votes aye.
3374 Mr. Duncan?
3375 *Mr. Duncan. Mr. Duncan votes yes.
3376 *The Clerk. Mr. Duncan votes aye.
3377 Mr. Palmer?
3378 *Mr. Palmer. Palmer, Alabama, aye.
3379 *The Clerk. Mr. Palmer votes aye.
3380 Mr. Dunn?
3381 *Mr. Dunn. Dunn votes aye.
3382 *The Clerk. Mr. Dunn votes aye.

3383 Mr. Curtis?

3384 *Mr. Curtis. Curtis votes aye.

3385 *The Clerk. Mr. Curtis votes aye.

3386 Mrs. Lesko?

3387 *Mrs. Lesko. Lesko votes aye.

3388 *The Clerk. Mrs. Lesko votes aye.

3389 Mr. Pence?

3390 *Mr. Pence. Pence votes aye.

3391 *The Clerk. Mr. Pence votes aye.

3392 Mr. Crenshaw?

3393 *Mr. Crenshaw. Crenshaw votes aye.

3394 *The Clerk. Mr. Crenshaw votes aye.

3395 Mr. Joyce?

3396 *Mr. Joyce. Joyce votes aye.

3397 *The Clerk. Mr. Joyce votes aye.

3398 Mr. Armstrong?

3399 *Mr. Armstrong. Yes.

3400 *The Clerk. Mr. Armstrong votes aye.

3401 Chairman Pallone?

3402 *The Chairman. Pallone of New Jersey votes no.

3403 *The Clerk. Chairman Pallone votes no.

3404 *Mr. McEachin. Mr. Chairman, this is Donald McEachin of

3405 Virginia. How am I recorded?

3406 *The Chairman. How is the gentleman recorded?

3407 *The Clerk. Mr. McEachin is not recorded?

3408 *The Chairman. How do you wish to vote?

3409 *Mr. McEachin. McEachin votes no, Mr. Chairman.

3410 *The Chairman. Thank you --

3411 *The Clerk. Mr. McEachin votes no.

3412 *Mr. Rush. Mr. Chairman?

3413 *The Chairman. Ranking Member?

3414 *Mr. Rush. Mr. Chairman?

3415 *The Chairman. Mrs. Rodgers --

3416 *Mrs. Rodgers. Mrs. Rodgers votes aye --

3417 *Mr. Rush. Mr. Chairman?

3418 *The Clerk. Mrs. Rodgers votes aye.

3419 *The Chairman. Who is that, Mr. Rush?

3420 *Mr. Rush. Mr. Chairman, this is Rush of Illinois. How

3421 am I recorded?

3422 *The Chairman. You are not. How do you want to vote?

3423 *Mr. Rush. Mr. Chairman, Rush votes no.

3424 *The Clerk. Mr. Rush votes no.

3425 *The Chairman. Mr. Schrader of Oregon?

3426 *Mr. Schrader. Mr. Schrader votes yes. No, excuse me,

3427 no. No.

3428 *The Chairman. Mr. Schrader votes no?

3429 *The Clerk. Mr. Schrader votes no.

3430 *The Chairman. Does anyone else wish to be recorded?

3431 This is the Duncan amendment.

3432 Anyone else, virtually or otherwise?

3433 Ms. Clarke is trying to vote. Is she recorded?

3434 [No response.]

3435 *The Chairman. Is Ms. Clarke of New York recorded?

3436 *The Clerk. I have Ms. Clarke as voting aye.

3437 *The Chairman. Ms. Clarke, you are recorded as voting
3438 aye, meaning you are supporting the Duncan amendment.

3439 *Ms. Clarke. Oh, Mr. Chairman, I spoke incorrectly. My
3440 -- Ms. Clarke of New York votes no.

3441 *The Chairman. Okay.

3442 *The Clerk. Ms. Clarke votes on.

3443 *Ms. Clarke. Thank you, Mr. Chairman --

3444 *The Chairman. Anyone else?

3445 *Ms. Clarke. -- I yield back.

3446 *The Chairman. Thank you. Anyone else want to be
3447 recorded or change their vote?

3448 All right, if not, the clerk will report the tally.

3449 *The Clerk. On that vote, Mr. Chairman, the yeas were
3450 32, and the nays were 24.

3451 *The Chairman. Now, wait a minute, this is the Duncan
3452 amendment.

3453 *The Clerk. No --

3454 [Laughter.]

3455 *The Clerk. I am sorry about that. Mr. Chairman, on
3456 that vote the yeas were 24 and the nays are 32.

3457 *The Chairman. All right. So the vote on the Duncan

3458 amendment is 24 ayes to 32 noes, and the amendment is not
3459 agreed to.

3460 Are there further amendments?

3461 Mr. -- the gentleman from Texas, Mr. Crenshaw, has an
3462 amendment.

3463 *Mr. Crenshaw. Mr. Chairman, I have an --

3464 *The Chairman. Does the clerk have that one?

3465 *The Clerk. Yes, Mr. Chairman.

3466 *The Chairman. The clerk will report the Crenshaw
3467 amendment.

3468 *The Clerk. Amendment to the committee print for 3293,
3469 offered by Mr. Crenshaw of Texas. Strike sections 2 and 3 --

3470 *The Chairman. Without objection, the reading of the
3471 amendment will be dispensed with.

3472 [The amendment of Mr. Crenshaw follows:]

3473

3474 *****COMMITTEE INSERT*****

3475

3476 *The Chairman. And the gentleman from Texas is
3477 recognized.

3478 *Mr. Crenshaw. Thank you, Mr. Chairman. I seek to make
3479 a point here, somewhat similar to Mr. Duncan. There is a
3480 difference in philosophy in how we regulate, and in how --
3481 certainly, how we see welfare programs or entitlement
3482 programs.

3483 You know, it is not the case that, just because 1
3484 regulation is good, that 10 must be better. But that seems
3485 to be how Washington regulates. And it is not the case that,
3486 because 1 welfare program is good, then 10 more must be
3487 better. But that is, indeed, how our welfare system works.

3488 Our goal should be to simplify entitlement programs for
3489 the poor, not make them apply to yet another agency for yet
3490 another program. And then, on top of that, on top of that,
3491 be in a state of dependence, wherein making more money puts
3492 you out of eligibility for that program.

3493 But I want to draw attention to a deeper problem. We
3494 can't even talk about affordability unless we have water
3495 infrastructure. And I want to talk about unincorporated
3496 communities, which would be left out of this program, and
3497 left out of a lot of Federal funding that has created water
3498 infrastructure in the past. So, Tamina, which is a
3499 historically Black community in Montgomery County, Texas, it
3500 is about 10 miles outside my district, has had ongoing issues

3501 with ever getting any new water infrastructure built. A
3502 majority of homes don't have running water.

3503 Mr. Chairman, the -- we are not in order. The room is
3504 not in order. Mr. Chairman, can we get the hearing room in
3505 order, please?

3506 *The Chairman. Yes, I am sorry. The gentleman has the
3507 floor.

3508 Please proceed.

3509 *Mr. Crenshaw. A majority of homes in Tamina don't have
3510 running water. The majority of homes don't have sewage. A
3511 few do have septic tanks. There is no storm sewers, and the
3512 historic cemetery often floods, as a result. Unfortunately,
3513 it is not uncommon for sewage to be seen in the streets. My
3514 colleague, Congressman Kevin Brady, has been tirelessly
3515 working on getting water access to this community for years.
3516 But the Federal programs that are intended to help these
3517 communities don't.

3518 The major problem is that Federal funding is prioritized
3519 to urban areas, while unincorporated areas get left out.

3520 And you don't have to look far to see that it is not an
3521 anomaly. Another unincorporated area near the Houston
3522 airport, Bordersville, also as an ongoing issue with access.
3523 They just don't have the sewage or water. So it doesn't
3524 matter if they get extra funding to pay for it, because it
3525 doesn't exist.

3526 To make matters worse, I don't see how this bill would
3527 help unincorporated communities. Neither the definition of
3528 "small community-serving water systems'" or "community water
3529 systems'" would include unincorporated areas as eligible
3530 entities. So even if Tamina or Bordersville have their
3531 infrastructure solved tomorrow -- Mr. Chairman, we are not --
3532 we are still not in order.

3533 *The Chairman. I think the staff are the ones that are
3534 talking.

3535 *Mr. Crenshaw. Maybe -- I realize --

3536 *The Chairman. Can I ask the staff to --

3537 *Mr. Crenshaw. Maybe the staff could go somewhere else.

3538 *The Chairman. Yes, please, guys, either don't speak,
3539 or go, you know, back to the cloakroom. We -- the gentleman
3540 has the floor.

3541 *Mr. Crenshaw. And so, look, my final point is this.
3542 If we are going to talk about access, we have to talk about
3543 access in fact, and not just in theory. We have to have the
3544 water infrastructure in place in order to worry about paying
3545 the bills. And that is where our focus should be. That is
3546 where we know there are problems with unincorporated
3547 communities.

3548 My amendment would study this issue, and allow us to
3549 rethink how we are solving the problem, rather than go back
3550 to the way things have always been.

3551 Now, I will say I am withdrawing the amendment for the
3552 sake of efficiency in time. My goal is to bring attention to
3553 this, and hope that this committee can address this in the
3554 future. I yield back.

3555 *The Chairman. I thank the gentleman.

3556 Do we have any more?

3557 He withdrew his amendment, so you don't want to speak.
3558 All right. Does anybody else want to speak on -- well, he
3559 withdrew it.

3560 Does anybody else have an amendment? If not, we are
3561 going to move to a vote on final passage.

3562 The question now occurs on favorably reporting H.R. 3293
3563 -- it was amended, correct? As amended?

3564 It was not amended, okay. So the question now occurs on
3565 -- oh, okay. So the question now occurs on favorably
3566 reporting H.R. 3293, as amended in the subcommittee, to the
3567 House.

3568 All those in favor --

3569 *Ms. DeGette. Mr. Chairman, I would just call for a
3570 recorded vote.

3571 *The Chairman. You want a recorded vote?

3572 *Ms. DeGette. Yes.

3573 *The Chairman. Okay, we will go to a recorded vote. A
3574 recorded vote is ordered. Those in favor of reporting H.R.
3575 3293, as amended, to the House will say aye, those opposed

3576 will say no, and the clerk shall call the roll.
3577 *The Clerk. Mr. Rush?
3578 *Mr. Rush. Rush of Illinois votes aye.
3579 *The Clerk. Mr. Rush votes aye.
3580 Ms. Eshoo?
3581 *Ms. Eshoo. Eshoo of California votes aye.
3582 *The Clerk. Ms. Eshoo votes aye.
3583 Ms. DeGette?
3584 *Ms. DeGette. Aye.
3585 *The Clerk. Ms. DeGette votes aye.
3586 Mr. Doyle?
3587 *Mr. Doyle. [Inaudible.]
3588 *The Clerk. Mr. Doyle votes aye.
3589 Ms. Schakowsky?
3590 *Ms. Schakowsky. [Inaudible.]
3591 *The Clerk. Ms. Schakowsky votes aye.
3592 Mr. Butterfield?
3593 *Mr. Butterfield. Butterfield votes aye.
3594 *The Clerk. Mr. Butterfield votes aye.
3595 Ms. Matsui?
3596 *Ms. Matsui. Matsui votes aye.
3597 *The Clerk. Ms. Matsui votes aye.
3598 Ms. Castor?
3599 [No response.]
3600 *The Clerk. Mr. Sarbanes?

3601 *Mr. Sarbanes. Sarbanes votes aye.
3602 *The Clerk. Mr. Sarbanes votes aye.
3603 Mr. McNerney?
3604 *Mr. McNerney. [Inaudible.]
3605 *The Clerk. Mr. McNerney votes aye.
3606 Mr. Welch?
3607 [No response.]
3608 *The Clerk. Mr. Tonko?
3609 *Mr. Tonko. Tonko votes aye.
3610 *The Clerk. Mr. Tonko votes aye.
3611 Ms. Clarke?
3612 *Ms. Clarke. Ms. Clarke of New York votes aye.
3613 *The Clerk. Ms. Clarke votes aye.
3614 Mr. Schrader?
3615 *Mr. Schrader. Schrader votes aye.
3616 *The Clerk. Mr. Schrader votes aye.
3617 Mr. Cardenas?
3618 *Mr. Cardenas. Cardenas from California votes aye.
3619 *The Clerk. Mr. Cardenas votes aye.
3620 Mr. Ruiz?
3621 *Mr. Ruiz. Ruiz from California votes aye.
3622 *The Clerk. Mr. Ruiz votes aye.
3623 Mr. Peters?
3624 *Mr. Peters. Peters votes aye.
3625 *The Clerk. Mr. Peters votes aye.

3626 Mrs. Dingell?

3627 *Mrs. Dingell. [Inaudible.]

3628 *The Clerk. Mrs. Dingell votes aye.

3629 Mr. Veasey?

3630 *Mr. Veasey. [Inaudible.]

3631 *The Clerk. Mr. Veasey votes aye.

3632 Ms. Kuster?

3633 *Ms. Kuster. Kuster votes aye.

3634 *The Clerk. Ms. Kuster votes aye.

3635 Ms. Kelly?

3636 *Ms. Kelly. Kelly votes aye.

3637 *The Clerk. Ms. Kelly votes aye.

3638 Ms. Barragan?

3639 *Ms. Barragan. Barragan votes aye.

3640 *The Clerk. Ms. Barragan votes aye.

3641 Mr. McEachin?

3642 [No response.]

3643 *The Clerk. Ms. Blunt Rochester?

3644 *Ms. Blunt Rochester. Ms. Blunt Rochester votes aye.

3645 *The Clerk. Ms. Blunt Rochester --

3646 *Mr. McEachin. I am sorry, McEachin voted aye.

3647 *The Clerk. Ms. Blunt Rochester votes aye.

3648 Mr. McEachin votes aye.

3649 Mr. Soto?

3650 *Mr. Soto. Soto votes aye.

3651 *The Clerk. Mr. Soto votes aye.
3652 Mr. O'Halleran?
3653 *Mr. O'Halleran. O'Halleran votes aye.
3654 *The Clerk. Mr. O'Halleran votes aye.
3655 Miss Rice?
3656 *Miss Rice. Rice votes aye.
3657 *The Clerk. Miss Rice votes aye.
3658 Ms. Craig?
3659 *Ms. Craig. Craig of Minnesota votes aye.
3660 *The Clerk. Ms. Craig votes aye.
3661 Ms. Schrier?
3662 *Ms. Schrier. Schrier votes aye.
3663 *The Clerk. Ms. Schrier votes aye.
3664 Mrs. Trahan?
3665 *Mrs. Trahan. Trahan votes aye.
3666 *The Clerk. Mrs. Trahan votes aye.
3667 Mrs. Fletcher?
3668 *Mrs. Fletcher. Fletcher votes aye.
3669 *The Clerk. Mrs. Fletcher votes aye.
3670 Mrs. Rodgers --
3671 *Mr. Welch. And how am I recorded? How am I recorded?
3672 Congressman Welch. Sorry.
3673 *The Clerk. Congressman --
3674 *Mr. Welch. Welch.
3675 *The Clerk. Congressman Welch is not recorded.

3676 *Mr. Welch. Congressman Welch votes aye.
3677 *The Clerk. Mr. Welch votes aye.
3678 Mrs. Rodgers?
3679 [No response.]
3680 *The Clerk. Mr. Upton?
3681 *Mr. Upton. Upton votes no.
3682 *The Clerk. Mr. Upton votes no.
3683 Mr. Burgess?
3684 *Mr. Burgess. No.
3685 *The Clerk. Mr. Burgess votes no.
3686 Mr. Scalise?
3687 [No response.]
3688 *The Clerk. Mr. Latta?
3689 *Mr. Latta. No.
3690 *The Clerk. Mr. Latta votes no.
3691 Mr. Guthrie?
3692 *Mr. Guthrie. No.
3693 *The Clerk. Mr. Guthrie votes no.
3694 Mr. McKinley?
3695 *Mr. McKinley. McKinley, no.
3696 *The Clerk. Mr. McKinley votes no.
3697 Mr. Kinzinger?
3698 [No response.]
3699 *The Clerk. Mr. Griffith?
3700 [No response.]

3701 *The Clerk. Mr. Bilirakis?
3702 *Mr. Bilirakis. No.
3703 *The Clerk. Mr. Bilirakis votes no.
3704 Mr. Johnson?
3705 *Mr. Johnson. Johnson votes no.
3706 *The Clerk. Mr. Johnson votes no.
3707 Mr. Long?
3708 *Mr. Long. No.
3709 *The Clerk. Mr. Long votes no.
3710 Mr. Bucshon?
3711 *Mr. Bucshon. Bucshon votes no.
3712 *The Clerk. Mr. Bucshon votes no.
3713 Mr. Mullin?
3714 [No response.]
3715 *The Clerk. Mr. Hudson?
3716 *Mr. Hudson. Hudson votes no.
3717 *The Clerk. Mr. Hudson votes no.
3718 Mr. Walberg?
3719 *Mr. Walberg. Walberg votes no.
3720 *The Clerk. Mr. Walberg votes no.
3721 Mr. Carter?
3722 *Mr. Carter. Carter votes nay.
3723 *The Clerk. Mr. Carter votes no.
3724 Mr. Duncan?
3725 *Mr. Duncan. No.

3726 *The Clerk. Mr. Duncan votes no.
3727 Mr. Palmer?
3728 *Mr. Palmer. Palmer votes no.
3729 *The Clerk. Mr. Palmer votes no.
3730 Mr. Dunn?
3731 *Mr. Dunn. Dunn votes no.
3732 *The Clerk. Mr. Dunn votes no.
3733 Mr. Curtis?
3734 *Mr. Curtis. Curtis votes no.
3735 *The Clerk. Mr. Curtis votes no.
3736 Mrs. Lesko?
3737 *Mrs. Lesko. Lesko votes no.
3738 *The Clerk. Mrs. Lesko votes no.
3739 Mr. Pence?
3740 *Mr. Pence. Pence votes no.
3741 *The Clerk. Mr. Pence votes no.
3742 Mr. Crenshaw?
3743 *Mr. Crenshaw. Crenshaw votes no.
3744 *The Clerk. Mr. Crenshaw votes no.
3745 Mr. Joyce?
3746 *Mr. Joyce. Joyce votes no.
3747 *The Clerk. Mr. Joyce votes no.
3748 Mr. Armstrong?
3749 *Mr. Armstrong. No.
3750 *The Clerk. Mr. Armstrong votes no.

3751 Chairman Pallone?

3752 *The Chairman. Pallone votes aye.

3753 *The Clerk. Chairman Pallone votes aye.

3754 *The Chairman. Ms. Castor would like to vote.

3755 *The Clerk. Ms. Castor?

3756 *Ms. Castor. Castor votes aye.

3757 *The Clerk. Ms. Castor votes aye.

3758 *The Chairman. Mrs. Rodgers?

3759 *Mrs. Rodgers. Mrs. Rodgers votes no.

3760 *The Clerk. Mrs. Rodgers votes no.

3761 *The Chairman. Mr. Scalise is on the screen, or he is

3762 here --

3763 *Mr. Scalise. Yes, Mr. Scalise votes no.

3764 *The Clerk. Mr. Scalise votes no.

3765 *The Chairman. Mr. Kinzinger I see.

3766 *Mr. Kinzinger. Yes, Kinzinger is a no.

3767 *The Clerk. Mr. Kinzinger votes no.

3768 *The Chairman. Anyone else?

3769 *Mrs. Rodgers. Did you ask for Mr. Mullin?

3770 *The Chairman. Mr. Mullin from Oklahoma, we -- are you

3771 there?

3772 [No response.]

3773 *The Chairman. Welch voted, didn't he? Welch voted.

3774 Is there -- who else is not recorded? You can go

3775 through it again.

3776 *The Clerk. Mr. Griffith and Mr. Mullin are not
3777 recorded.

3778 *The Chairman. Did you see Mullin?

3779 So we got to -- he is where? Oh, okay. All right, then
3780 we are going to -- the clerk will report the tally.

3781 *The Clerk. On that vote, Mr. Chairman, the yeas were
3782 32, and the nays were 24.

3783 *The Chairman. So the vote is 32 ayes to 24 noes.
3784 H.R. --

3785 *Voice. Mr. Chairman, could I --

3786 *Mrs. Rodgers. Oh, Mr. -- you are going to do it?

3787 *The Chairman. Who is that?

3788 *Voice. I just ask unanimous consent that we, the
3789 minority, get two extra days to file --

3790 *The Chairman. Without objection, so ordered.

3791 So we had the vote. H.R. 3293, as amended, is reported
3792 to the full House.

3793 And now we go to the last bill. The chair calls up H.R.
3794 -- I am sorry, H.R. -- the chair calls up H.R. 2467, the PFAS
3795 Action Act of 2021. The clerk will report the bill.

3796 *The Clerk. H.R. 2467, to require the administrator of
3797 the Environmental Protection Agency to designate --

3798 *The Chairman. Yes. Without objection, the first
3799 reading of the bill will be dispensed with, and the bill is
3800 now considered as read. And without objection, the bill is

3801 considered as read and open for amendment at any point.

3802 [The bill follows:]

3803

3804 *****COMMITTEE INSERT*****

3805

3806 *The Chairman. Now, my understanding is that they have
3807 called a vote.

3808 *Voice. Yes.

3809 *The Chairman. They have, or have not?

3810 *Voice. They have.

3811 *The Chairman. So we have -- the vote hasn't been
3812 called yet.

3813 *Mrs. Rodgers. Yes, it has.

3814 *The Chairman. All right, so -- it has? The lights are
3815 -- the numbers --

3816 *Mrs. Rodgers. Yes, we got -- we are voting now.

3817 *The Chairman. Oh, we are voting?

3818 *Mrs. Rodgers. Yes.

3819 *The Chairman. We are voting?

3820 *Voice. There is the bell.

3821 *The Chairman. All right, so we are voting. Okay, then
3822 we will take a recess.

3823 There are three votes, and we will stand in -- the
3824 committee will stand in recess until 10 minutes after the
3825 last of the 3 votes is called. Everyone understand that?
3826 Until 10 minutes after the last of the 3 votes is called.
3827 And I call -- All right, so everyone understands what we are
3828 doing.

3829 The committee stands in recess.

3830 [Recess.]

3831 *The Chairman. I call the committee back to order. We
3832 are going to have debate for a while before we vote, so
3833 hopefully everybody will -- the rest of the members will come
3834 back.

3835 And I guess I will start by myself moving to strike the
3836 last word to speak on the underlying PFAS bill.

3837 I am proud to support this bipartisan bill, which would
3838 address PFAS contamination using all of the tools available
3839 under our landmark environmental laws.

3840 PFAS, as most of you know, are an urgent threat to
3841 public health. They are toxic, persistent, and being found
3842 in the environment across the country. These forever
3843 chemicals have long been linked with adverse health effects
3844 including cancer, immune system effects, infertility,
3845 impaired child development, high cholesterol, and thyroid
3846 disease.

3847 And, as I mentioned at last week's subcommittee markup,
3848 in my home state of New Jersey there have been over 500
3849 detections of PFAS in drinking water and groundwater sources.
3850 I don't think this is acceptable. New Jersey has been a
3851 leader in setting safe state -- excuse me, state standards
3852 for PFAS, but national standards are needed.

3853 The EPA is hard at work trying to address the threat of
3854 PFAS chemicals under several of our landmark environmental
3855 laws, but the agency is playing catch-up after years of

3856 inaction under the last Administration. Congress can help by
3857 providing clear instructions and needed resources, and that
3858 is just what this bill does. The bill requires EPA to
3859 immediately designate two PFAS chemicals, PFOA and PFOS, as
3860 hazardous substances under Superfund, the two most studied of
3861 the PFAS chemicals, and EPA committed to make this
3862 designation in their action plan last year, but has failed to
3863 fulfill this promise.

3864 The legislation requires that, over a five-year period,
3865 EPA review all other PFAS chemicals, and decide whether to
3866 list them under Superfund. During these five years the bill
3867 will require comprehensive health testing of all PFAS
3868 chemicals. This is an important point. You may hear my
3869 colleagues talk today about the need to base decisions on
3870 science, and this bill will generate that science. PFOA and
3871 PFOS will be regulated up front, because they already have
3872 the science on them, and other PFAS will be regulated if,
3873 over the next five years, the science concludes that they are
3874 hazardous.

3875 So H.R. 2467 also requires a drinking water standard
3876 that will cover at least PFOA and PFOS and other chemicals at
3877 EPA's discretion. Importantly, the drinking water standard
3878 will have to protect public health, including the health of
3879 vulnerable populations such as pregnant women, infants, and
3880 children. And because treating drinking water to remove PFAS

3881 is expensive, the bill includes grants for water utilities.

3882 The bill also includes a voluntary PFAS-free label for
3883 cookware. This label will empower consumers to take steps to
3884 protect themselves from exposure to PFAS.

3885 And the bill requires guidance for first responders to
3886 help them minimize their exposure to PFAS chemicals. And
3887 this is important, because PFAS is commonly found in
3888 firefighting foams, as well.

3889 So, again, I thank my colleagues on both sides of the
3890 aisle for their work to negotiate this bill. It is critical
3891 that we move forward on the bill to protect our constituents
3892 and communities. I urge everyone to support the bill.

3893 I yield back, and --

3894 *Mrs. Rodgers. I do.

3895 *The Chairman. -- I would now yield to ranking member
3896 five minutes on this for her remarks on the underlying bill.

3897 *Mrs. Rodgers. Thank you, Mr. Chairman. I am going to
3898 be opposing this legislation today, and I don't do that
3899 lightly. My congressional district is addressing POME-
3900 related contamination. I want PFAS to be smartly and
3901 scientifically addressed.

3902 On this bill, though, I find myself in the same place
3903 where we were 10 years ago, Mr. Chairman. Your dissenting
3904 views about coal ash legislation stated, "The committee has
3905 still not heard from the EPA on the legislation," and

3906 concluded, "It is clear that this legislation must be subject
3907 to additional scrutiny, and the legislative record is not yet
3908 sufficient to inform a floor vote on this legislation.'" I
3909 believe that these words apply to this bill.

3910 This bill creates extremely aggressive regulatory
3911 responses on chemicals for which we know a bunch about only a
3912 small percentage of them. At least 9,250 -- 9,250 -- are
3913 before the EPA. And I want us to proceed based on science,
3914 not fear. We need thoughtful input, not hidden, top-down
3915 decisions, and actions appropriate to the risk posed, not to
3916 the exclusion of them.

3917 Though well intended, I am concerned that the mandates
3918 in the PFAS Action Act will frustrate EPA's existing science-
3919 based plans. This bill will cement policy choices with long-
3920 range implications. It is certain to overwhelm EPA's
3921 existing resources to tackle environmental and public health
3922 challenges beyond PFAS. In short, EPA will become the
3923 Environmental PFAS Agency.

3924 The PFAS Action Act is not measured. It prejudices
3925 outcomes, showing little regard for objective science, risk
3926 assessment, transparency, and public comment. It requires
3927 EPA, without any requirement for scientific review, to
3928 regulate certain PFAS under the Clean Air Act and
3929 Comprehensive Environmental Response Compensation and
3930 Liability Act. For a place like Airway Heights in my

3931 district, which has already taken steps to mitigate PFAS
3932 contamination, a Superfund designation could be devastating
3933 for the local economy and development.

3934 It also requires EPA to make regulatory determinations
3935 within 5 years on all 9,250 PFAS chemicals under those same
3936 laws, and without public participation.

3937 It uses an unattainable standard to ban incineration of
3938 any PFAS -- incineration of any PFAS-contaminated material,
3939 and requires any persons disposing of these materials to
3940 store them as if they were hazardous waste.

3941 It removes EPA's scientific review, and bans
3942 commercialization of safer PFAS. It requires comprehensive
3943 toxicity testing of all 9,252 PFAS.

3944 In short -- since my time has expired again, I guess, I
3945 am sorry -- the PFAS Action Act would replace EPA's
3946 scientific judgment with Congress's political judgment, put
3947 EPA on unrealistic timelines, remove the use of proposed
3948 rules and public deliberation, overrun existing domestic
3949 laboratory capacity to focus on any other scientific matter,
3950 and clog our nation's remaining landfill capacity. It is not
3951 good policy or government.

3952 Am I really out of time? No, okay, okay.

3953 I ask my colleagues to, instead, consider the progress
3954 EPA has been making without this bill. For example, earlier
3955 this year EPA announced an advance notice of proposed

3956 rulemaking aimed at designating PFOA and PFOS -- another PFAS
3957 -- chemicals as CERCLA hazardous substances. Additionally,
3958 the agency made a final determination in January to issue
3959 national primary drinking water regulations for PFOA and
3960 PFOS. They have 20 more -- 21 more months to propose a
3961 science-based maximum contaminant level goal, and an
3962 enforceable drinking water regulation.

3963 Numerous other PFAS laws have been enacted, and
3964 regulatory actions taken, even in the last two years. Some
3965 of those laws and actions happened in a larger legislative
3966 package, or have happened during the executive transition,
3967 but it doesn't mean that it didn't happen.

3968 I want PFAS action, but this Act is not reasonable, and
3969 for all those reasons I have stated I urge opposition to the
3970 PFAS Action Act.

3971 With that, I yield back.

3972 *The Chairman. I thank the gentlewoman.

3973 So we are still on the underlying bill. Does anyone
3974 else strike the last word?

3975 Mrs. Dingell is recognized for five minutes.

3976 *Mrs. Dingell. Thank you, Chairman Pallone. I move to
3977 strike the last word.

3978 *The Chairman. The gentlewoman is recognized.

3979 *Mrs. Dingell. We know nearly every American now has
3980 some level of PFAS chemicals coursing through their blood

3981 after generations of uses to create our modern society.

3982 Forever chemicals -- they are known as forever
3983 chemicals, because we cannot get rid of them -- known as
3984 PFAS, it is established, it is scientific research, the data
3985 is there. They are harmful, man-made chemicals that have so
3986 far been found in the drinking water of more than 2,000
3987 communities across almost every state in this country. PFAS
3988 chemicals are persistent, bio-accumulative, and toxic. These
3989 chemicals have been linked to harmful human health effects,
3990 including cancer, reproductive and developmental harms, and
3991 weakened immune systems.

3992 I am proud to be -- have introduced this bill, and be
3993 working with my good friend across the aisle, Michigan
3994 Representative Fred Upton. As many of you know, Michigan has
3995 been hit hard by PFAS contamination. But that is only
3996 because we have been one of the few states looking for it, as
3997 well as establishing the necessary policies to protect human
3998 health and the environment in the absence of strong Federal
3999 leadership.

4000 This is truly a national crisis, and other states are
4001 going to find similar contamination when they decide it is
4002 important enough to look for it, because when you are dealing
4003 with forever-lasting substances, it is only a matter of time.

4004 According to the Environmental Working Group, over 200
4005 million Americans are drinking contaminated water, and 328

4006 military sites across the United States have been identified
4007 as having PFAS contamination.

4008 So I respect you all, and I know there is -- but you ask
4009 why is this package necessary, so I want to ask these
4010 questions.

4011 Has the EPA established a national drinking water
4012 standard for the most notorious chemicals -- PFOR (sic),
4013 PFOA, and PFOS -- that includes protections for vulnerable
4014 sub-populations?

4015 Has the EPA designated PFOA or PFOS chemicals as
4016 hazardous substances under the Superfund, or determined
4017 whether to list other PFAS?

4018 Has the EPA designated PFOA and PFOS as hazardous air
4019 pollutants under the Clean Air Act?

4020 Has the Federal Government prohibited unsafe
4021 incarceration of PFAS waste, and placed a moratorium on the
4022 introduction of new PFAS into commerce?

4023 No. The answers to all of this, these questions, is no.

4024 The PFAS Action Act would protect our land, our air, our
4025 water, and human health from harmful PFAS contamination by
4026 requiring all these actions in the face of continued Federal
4027 inaction, as well as many more. EPA has consistently failed
4028 to act. Clear and swift action from Congress is needed to
4029 address the PFAS crisis, and this starts with enacting this
4030 bill. It would be the first major comprehensive and

4031 consequential action we can and must take.

4032 The legislation before us today is a meaningful bill
4033 that will represent a strong Federal response. It is a
4034 product of good bipartisan work of the Energy and Commerce
4035 Committee. After the bill advanced out of this committee in
4036 January 2020, the full House of Representatives took bold
4037 action, and passed the PFAS Action Act by a vote of 247 to
4038 159. Many Republicans supported this package. Today we are
4039 considering an identical version that warrants strong,
4040 continued bipartisan support from every member of this
4041 committee.

4042 I want to thank my friend, Representative Upton, for his
4043 leadership on partnering with me on this important effort, as
4044 well as all of our colleagues who have provisions in this
4045 legislative package. And I want to thank our leadership.
4046 And again, I know why Mr. Upton is on this bill. He had a
4047 whole community next to where he lived whose water was turned
4048 off. They could only drink bottled water, because of PFAS
4049 contamination.

4050 And I close with thinking of the 75-ish to 80-year-old
4051 man: "We can't fish in our waters at home, because of PFAS
4052 contamination.'" And he got up at a town hall meeting, right
4053 before we all couldn't have town hall meetings anymore, and
4054 he wanted to know. "I eat that fish. I rely on that fish.
4055 When can I eat it again?'" And I didn't have the courage to

4056 look at him and say, "Probably not in your lifetime.'" We
4057 need to do something.

4058 I yield back, Mr. Chairman.

4059 *The Chairman. Thank you, Mrs. Dingell.

4060 Anyone else? Yes.

4061 *Mr. Upton. Mr. Chairman, strike the last word?

4062 *The Chairman. Yes, Mr. Upton is recognized for five
4063 minutes.

4064 *Mr. Upton. Well, thank you, Mr. Chairman, and I also
4065 want to thank my colleague and very good friend, Debbie
4066 Dingell, for her leadership on this issue in so many ways.

4067 You know, as mentioned, three years ago the City of
4068 Parchment, Michigan, right outside of Kalamazoo, awoke to a
4069 startling new reality: extremely high levels of PFOA and
4070 PFOS were not only found at a capped landfill, the chemicals
4071 were also discovered in the drinking water at levels many,
4072 many times above suggested minimum levels set by the EPA and
4073 FDA.

4074 So that night, when we learned of that, we went door to
4075 door. The sheriff's department was involved. We had the
4076 cars going down, speakers, "Bottled water only. You can't
4077 even water your garden, your vegetables.'" Families lined up
4078 at the school and the churches for months to get two or three
4079 cases of bottled water. You couldn't use the ice in your
4080 refrigerator, you couldn't use -- you could only use bottled

4081 water, even for your pets, for months. Dentists offices
4082 closed. I mean, you can imagine the impact on that small
4083 community.

4084 You know, while Parchment was the first community to
4085 have its water system test results come in that high, it was
4086 not the only place where PFAS chemicals were found in the
4087 drinking water in Michigan, or even in my district. And
4088 since then we have had PFAS issues related to the Kalamazoo
4089 Airport, the Air National Guard Base in Battle Creek, and
4090 others in Michigan, just a stone's throw away from the
4091 Kalamazoo River, which leads to Lake Michigan. And we saw
4092 PFAS levels thousands of times above EPA's levels.

4093 Well, that is not acceptable, not to anybody in this
4094 room, I know.

4095 So over three years ago, nobody even knew what PFAS was.
4096 Now it is something that is discussed around the dining
4097 tables in many of our districts. And frankly, we have had
4098 chances to address the issue, and we have lost.

4099 I am still not happy that a bipartisan deal to require
4100 the EPA to set a minimum level for PFOA and PFOS, which House
4101 Republicans agreed to, did not make it into the defense
4102 authorization bill in 2019. It would have started the clock
4103 on coming up with EPA setting an MCL much sooner than it is
4104 currently on pace to do so. And that is why we need to act
4105 now.

4106 That is why I voted for the bill in the last Congress,
4107 and will support it today. And I know it is not perfect. It
4108 is likely going to have to change in order to get 60 votes in
4109 the Senate, and I am going to be supporting some of the
4110 amendments here in committee today. But we need to move the
4111 process forward. America cannot wait any longer. We know
4112 what this stuff does, and it is time that we stop hiding from
4113 finding a solution.

4114 And with that, Mr. Chairman, I yield back.

4115 *The Chairman. I thank the gentleman, and we have a
4116 number of speakers.

4117 Ms. Kuster, who, I guess, is virtual, is recognized for
4118 five minutes. The gentlewoman from New Hampshire --

4119 *Ms. Kuster. Thank you so much. Thank you, Mr.
4120 Chairman. I would like to strike the last word.

4121 Thank you, Mr. --

4122 *The Chairman. The gentlewoman is recognized.

4123 *Ms. Kuster. Thank you, Mr. Chairman, for including
4124 this important bipartisan legislation in today's markup.

4125 Across the country and in my home state of New
4126 Hampshire, communities and families are dealing with the
4127 proliferation of toxic PFAS and PFOA chemicals that pose a
4128 serious threat to human health and our environment. From
4129 groundwater contamination to toxic air emissions, the removal
4130 and remediation of these forever chemicals represents a

4131 significant challenge for my Granite State communities, as
4132 well. And I want to thank Mr. Upton and all -- Mrs. Dingell,
4133 and all of the bipartisan cosponsors of the bill. I am proud
4134 to be a part of it.

4135 I was pleased to help introduce the PFAS Action Act with
4136 my good friend and colleague, Congresswoman Debbie Dingell,
4137 who has championed this issue in Congress. This bill
4138 demonstrates our bipartisan commitment to protecting our
4139 communities from this urgent public health threat.

4140 We need to have an all-hands-on-deck effort on this
4141 issue, because PFAS contamination impacts every single corner
4142 of our country. I can remember when Mrs. Dingell and Mr.
4143 Upton and I were speaking with our colleagues on the floor.
4144 So many colleagues said to us, "Oh, we don't have that
4145 problem in my district."

4146 And I said, "You do have that problem in your district.
4147 You just don't know it yet."

4148 The PFAS Action Act represents a comprehensive and bold
4149 solution to treat PFAS as a hazardous chemical, and equip our
4150 communities with the resources they need to clean up these
4151 toxic forever chemicals. This bipartisan legislation will
4152 require the EPA to establish a national drinking water
4153 standard for PFAS and PFOA, set discharge limits on
4154 industrial releases, and provide \$200 million annually toward
4155 wastewater treatment facilities that are integral to our

4156 remediation efforts.

4157 I urge all of my colleagues on both sides of the aisle
4158 to take this issue seriously, and pass this bipartisan
4159 legislation today. And with that, Mr. Chairman, I yield
4160 back.

4161 *The Chairman. I thank the gentlewoman.

4162 Is there another Republican? Yes, the gentleman is
4163 recognized.

4164 *Mr. Palmer. Thank you, Mr. Chairman. I wish to speak
4165 on the bill.

4166 *The Chairman. The gentleman is recognized to -- five
4167 minutes.

4168 *Mr. Palmer. Thank you, Mr. Chairman.

4169 One reason I cannot support this legislation before us
4170 today has to do with its impact on the ability to
4171 domestically manufacture chlorine here, in the United States.
4172 Protecting the ability to domestically manufacture chlorine
4173 would be simple, direct, and would, most importantly, protect
4174 public health in the United States. This legislation,
4175 however, does not do that.

4176 For those of my colleagues who don't understand why
4177 chlorine production needs to be saved, or what PFAS and
4178 chlorine have to do with each other, let me take a minute to
4179 explain.

4180 There are three ways to make chlorine and caustic soda:

4181 one, using mercury cell technology; two, employing asbestos
4182 diaphragms; or three, employing a membrane cell process.

4183 Mercury cell technology is being phased out in the
4184 United States. Under the Minamata Convention on Mercury, the
4185 United States joined 130 parties in agreeing to cease
4186 manufacture and import and export of many mercury-containing
4187 products in 2020.

4188 The import of asbestos, and the use of asbestos
4189 diaphragm filters, are currently the subject of an EPA review
4190 under the Toxic Substances Control Act. While EPA passed on
4191 regulating this area three decades ago, the EPA could use new
4192 legal authority to ban or phase out these practices. In
4193 addition, there has been legislation in previous Congresses.
4194 In fact, this committee reported a bill last Congress that
4195 would phase out the production of chlorine using an asbestos
4196 diaphragm.

4197 This brings us to membrane cell technology. This is the
4198 most popular way of making chlorine in Europe. It is the
4199 most expensive, and it has become the only -- the only --
4200 long-term, viable option for making chlorine. Membrane cell
4201 technology contains PFAS.

4202 Unless efforts are taken to protect it, membrane cell
4203 technology using PFAS will become subject to the ultra-
4204 aggressive provisions in this bill. They are designed to
4205 discourage and harass its usage, and ultimately see it

4206 disappear. In a best-case scenario, this bill will
4207 significantly increase the price of chlorine and caustic soda
4208 for drinking water systems and hospitals that rely on
4209 chlorine for disinfection.

4210 The U.S. Center for Disease Control and Prevention calls
4211 drinking water chlorination one of the most significant
4212 public health advances in the United States history. In
4213 fact, the EPA requires treated tap water to contain a
4214 detectable level of chlorine to help protect against germs
4215 all the way to the consumers' taps.

4216 This will also have impacts on pharmaceutical production
4217 and swimming pool clean water maintenance. It will also
4218 place constraints on supply, potentially impacting household
4219 goods like bleach. It will offshore chlorine production,
4220 after we learned so painfully over this last year about the
4221 importance of maintaining a robust domestic supply for items
4222 regularly used in medical settings.

4223 Setting these important uses of chlorine aside, chlorine
4224 is a building block chemical used to create multiple other
4225 chemistries and chemicals. Removing domestic chlorine
4226 production will directly impact America's chemical
4227 manufacturing sector and its ability to continue innovating.

4228 This is a poor policy. We should shield the PFAS
4229 necessary for the production of chlorine from the provisions
4230 of H.R. 2467 that would be the most hurtful to preserving

4231 this important infection control chemical.

4232 I appreciate your attention, and maybe we can work
4233 together as things move forward to find a way to protect
4234 chlorine from the overreaches of this bill. And I urge the
4235 majority to continue to work with us on this issue and
4236 others, and yield back.

4237 *The Chairman. I thank the gentleman.

4238 On the Democratic side we have the gentlewoman from
4239 Delaware, Ms. Blunt Rochester -- is virtual, I believe. Is
4240 she there?

4241 Maybe her hand is up from before.

4242 *Ms. Blunt Rochester. Mr. Chairman, I am sorry, my hand
4243 was up from before, and --

4244 *The Chairman. All right, thank you.

4245 *Ms. Blunt Rochester. -- I will release my hand. Thank
4246 you, sir.

4247 *The Chairman. Sure, we have Mrs. Fletcher, the
4248 gentlewoman from Texas.

4249 *Mrs. Fletcher. Thank you, Mr. Chairman, I move to
4250 strike the last word.

4251 *The Chairman. The gentlewoman is recognized.

4252 *Mrs. Fletcher. Thank you, Mr. Chairman. I am glad we
4253 are considering the PFAS Action Act of 2021 today, and I am
4254 glad to support it.

4255 This legislation addresses matters of great concern for

4256 my constituents in Texas, and for people across the country.
4257 It is a matter of both great concern and great urgency. As
4258 Mrs. Dingell noted, a 2015 CDC study found that 97 percent of
4259 Americans have PFAS in their blood.

4260 So I am particularly glad that we are taking it up
4261 today, and very glad to see that my bill directing the EPA to
4262 issue guidance on minimizing first responders' exposure to
4263 PFAS in firefighting foam was included once again in this
4264 important legislation, for our firefighters, police officers,
4265 paramedics, emergency medical technicians, and other first
4266 responders put their lives in danger to protect ours, and we
4267 must protect them. We must protect our communities and our
4268 environment from exposure to these harmful chemicals.

4269 So, as a member of the PFAS Task Force, I would like to
4270 thank Congresswoman Dingell and Congressman Upton for
4271 introducing this legislation, for including my bill, and I
4272 thank you, Chairman Pallone and my colleagues on the
4273 committee, for bringing up this important piece of
4274 legislation to the committee at this time. I will vote in
4275 support, and I urge my colleagues to do the same.

4276 And with that, I will yield back.

4277 *The Chairman. Thank you.

4278 Are there any other members that want to speak on the
4279 underlying bill? Otherwise, we are going to move to
4280 amendments.

4281 All right, are there -- I think there are no amendments
4282 on the Democratic side.

4283 Dr. Bucshon, you are recognized -- you have --

4284 *Mr. Bucshon. I have an amendment at the desk, Mr.
4285 Chairman.

4286 *The Chairman. Does the clerk have the amendment?

4287 *The Clerk. What is the title?

4288 *Mr. Bucshon. Labeled 014.

4289 *The Clerk. 014?

4290 *Mr. Bucshon. Yes, 014.

4291 *The Clerk. Yes, I have it.

4292 *The Chairman. Okay, the clerk will report the
4293 amendment.

4294 *The Clerk. Amendment to H.R. 2467, offered by Mr.
4295 Bucshon of Indiana.

4296 *The Chairman. Without objection, Madam Clerk, the
4297 reading of the amendment will be dispensed with.

4298 [The amendment of Mr. Bucshon follows:]

4299

4300 *****COMMITTEE INSERT*****

4301

4302 *The Chairman. And the gentleman --

4303 *Ms. Kelly. Mr. Chair, I would like to reserve a point
4304 of order.

4305 *The Chairman. Yes, that was Ms. -- vice chair, Ms.
4306 Kelly, reserved a point of order, and a point of order is
4307 reserved, and Mr. -- Dr. Bucshon is now recognized to speak
4308 on his amendment.

4309 *Mr. Bucshon. Thank you, Mr. Chairman. I appreciate,
4310 my colleagues, this bipartisan effort in crafting this
4311 legislation, and generally agree that action needs to be
4312 taken to keep our communities safe from hazardous chemicals.
4313 However, the legislation in its current form is a one-size-
4314 fits-all approach that could lead to lives lost, actually.

4315 My amendment is very simple, but important. As we have
4316 heard, the bill before us is very overarching. It amends no
4317 less than 5 major Federal environmental laws, and would,
4318 therefore, affect the operation of the environmental laws in
4319 50 states. Perhaps most worrisome, the bill would impose
4320 Superfund liability on CERCLA -- under CERCLA on lifesaving
4321 and other medical -- medically beneficial products that have
4322 already undergone a rigorous approval process conducted by
4323 the FDA to ensure they are safe to use. FDA approval, in
4324 fact, is the worldwide gold standard.

4325 The legislation completely fails to consider the fact
4326 that there are some PFAS, notably floral polymers, that are

4327 the critical component in a device -- or that make a device
4328 or drug's efficacy possible.

4329 I would be remiss if I did not also note the presence
4330 and critical role that PFAS plays in personal protective
4331 equipment like masks and rubber gloves, especially this -- in
4332 this past year.

4333 As a cardiothoracic surgeon, I have firsthand experience
4334 with lifesaving medical devices that include PFAS, such as
4335 vascular grafts, heart patches, catheter tubes, and stent
4336 grafts, Polytetrafluoroethylene. I am going to give a couple
4337 of examples.

4338 This is a graft that is used for aortic aneurysm repair,
4339 and you see it expands to treat aortic aneurysms. Prior to
4340 the development of these type of grafts, I had to open people
4341 up and surgically sew in Dacron-related fabric grafts to
4342 repair these. This is a major advance.

4343 This is a vascular graft that is used for bypassing
4344 vascular blockages. And like someone's leg around a
4345 blockage, you sew it on one end, and then the other. This is
4346 also Polytetrafluoroethylene.

4347 [Slide]

4348 *Mr. Bucshon. And then, as the picture behind me shows,
4349 a major advance in therapy of what are called atrial septal
4350 defects in young children versus open heart surgery, which is
4351 what I had to do to fix them, is a vascular -- is a PFAS

4352 graft that, actually, you can put in -- I have an example of
4353 one here, that you actually put into the heart with a
4354 catheter, and block the opening that is a genetic and
4355 congenital abnormality, curing the problem as -- almost as an
4356 outpatient, versus open heart surgery, requiring the chest to
4357 be opened, for example, and surgically closing the opening.

4358 I am also concerned about, honestly, in this case,
4359 retroactive class action lawsuits. Literally, millions or
4360 tens of millions of patients have had these type of devices
4361 used to treat their medical condition.

4362 Again, Mr. Chairman, my amendment is very simple. It
4363 would do two things: first, exempt PFAS contained in FDA-
4364 approved drugs and devices from the bill's list of hazardous
4365 substances under CERCLA and the Clean Air Act; and second,
4366 exempt PFAS contained in FDA-approved drugs and devices from
4367 the bill's new ban on future PFAS under the Toxic Substances
4368 Control Act, or to TAHSICA (sic). Labeling all PFAS as
4369 hazardous poses a direct threat to FDA-approved drugs and
4370 devices. That is a simple reality.

4371 We do not want any discretion left to EPA or another
4372 agency but the FDA in this area. If the FDA has found a drug
4373 or device containing PFAS safe and effective, that should be
4374 the final word.

4375 I understand the desire of the sponsors of the PFAS
4376 Action Act to address drinking water concerns around our

4377 country, and I largely support these efforts. No one on the
4378 committee wants contaminated water supplies, but in our
4379 political rush to get something done here, we simply cannot
4380 disregard the existing and proven approval process at the
4381 Food and Drug Administration.

4382 As I have described from my experience as a physician,
4383 these medical devices don't threaten the lives of Americans
4384 inherently because they have a PFAS substance in them. They
4385 save lives. We must get the right solution, and exempt
4386 medical devices from this legislation.

4387 Mr. Chairman, I have a letter of opposition from AdvaMed
4388 that I would like to enter into the record.

4389 *The Chairman. Does the gentleman have a copy of the
4390 letter? If not --

4391 *Mr. Bucshon. Yes, sir.

4392 *The Chairman. -- we will wait until later.

4393 *Mr. Bucshon. I do have a copy of the letter. Yes,
4394 sir.

4395 *The Chairman. You do? Give it to me, or --

4396 *Mr. Bucshon. I will.

4397 *The Chairman. We will take a look at it.

4398 *Mr. Bucshon. No, I have it here.

4399 *The Chairman. We will put it in later.

4400 *Mr. Bucshon. Somewhere, yes, I have it.

4401 *The Chairman. Oh, you can give it to me later.

4402 *Mr. Bucshon. There we go.

4403 *The Chairman. We will put it in at the end. The
4404 gentleman should continue.

4405 *Mr. Bucshon. Yes, so at the end of the day I think a
4406 bill that has broad-reaching implications to medical therapy
4407 for a variety of diseases should exempt fluoropolymers from
4408 this type of regulation, as they have been shown that they
4409 are safe for decades.

4410 And with that, Mr. Chairman, I yield back.

4411 *The Chairman. The gentleman yields back. And the
4412 letter that Dr. Bucshon has given me from AdvaMed, without
4413 objection, so ordered to submit it in the record.

4414 [The information follows:]

4415

4416 *****COMMITTEE INSERT*****

4417

4418 *The Chairman. I am going to recognize myself to strike
4419 the last word, and speak in opposition to the Bucshon
4420 amendment.

4421 This amendment would create unnecessary exemptions for
4422 PFAS related to manufacture of drugs and medical devices
4423 under Superfund section 5 of TSCA, and unsafe incineration
4424 requirements under RCRA.

4425 Many manufacturers deal with hazardous substances listed
4426 under Superfund every day. Superfund liability is an
4427 important deterrent that incentivizes parties to handle these
4428 materials responsibly and take care to avoid releases. If
4429 the parties do not cause a release of pollution, they will
4430 not have a problem. And if they do cause a release, then
4431 they should be liable to clean it up.

4432 This amendment also provides an exemption from section 9
4433 of the bill, which prohibits the unsafe incineration of PFAS.
4434 Again, we should not tolerate unsafe disposal and unsafe
4435 incineration of PFAS under any circumstances, regardless of
4436 whether those PFAS were related to drugs and medical devices.

4437 If we want to really address the threat of PFAS
4438 exposure, we need to make sure strong protections are in
4439 place. But this amendment would create loopholes which will
4440 ultimately remove incentives for the safe handling and
4441 disposal of PFAS. So I urge my colleagues to oppose this
4442 amendment and support the bill.

4443 And I yield back at this time.

4444 Are there others who want to speak on the bill?

4445 Ms. -- oh, I am sorry, this is on -- yes, this is on Mr.
4446 Bucshon's amendment.

4447 The gentlewoman from Arizona, Mrs. Lesko, is recognized
4448 for five minutes.

4449 *Mrs. Lesko. Thank you, Mr. Chair. I move to strike
4450 the last word.

4451 *The Chairman. The gentlewoman is recognized.

4452 *Mrs. Lesko. Thank you, Mr. Chair.

4453 W.L. Gore and Associates is located --

4454 [Audio malfunction.]

4455 *Mrs. Lesko. -- signature product, GORE-TEX,
4456 implantable medical devices now account for over half of
4457 their company's revenue. Their medical products business is
4458 located in Arizona, with approximately 2,000 associates in
4459 Flagstaff and another 1,000 associates in my district.

4460 Gore's essential business relies on PFAS known as PTFE,
4461 that shows no threat to human health or the environment. Yet
4462 the legislation would treat PTFE and the other 9,000-plus
4463 PFAS as hazardous under no less than 5 environmental laws.
4464 This kind of overreach is great for regulators and the trial
4465 lawyers, but, in my opinion, is bad public policy.

4466 The so-called PFAS Action Act before us would force EPA
4467 to consider PFAS use in medical devices as hazardous under

4468 the Superfund law and under the Clean Air Act. That
4469 designation not only forces additional unnecessary
4470 regulation, it also exposes the entire economic chain --
4471 manufacturers, end users, and even individuals -- to huge
4472 liabilities.

4473 Section 4 of H.R. 2467 would also ban any new medical
4474 devices or drugs that contain PFAS from coming into the
4475 marketplace, no matter what their potential to treat health
4476 conditions or save lives, and regardless of whether they have
4477 been approved by the FDA.

4478 What is going on here, in my opinion, is a huge effort
4479 to simply get rid of all PFAS. But members need to
4480 understand that there are over 9,000 different substances out
4481 there that fit that definition. Some of those may be a real
4482 threat to human health, and we ought to have the scientists
4483 at EPA deal with those appropriately. But many PFAS,
4484 particularly fluoropolymers, simply do not pose a threat to
4485 human health or the environment. The best evidence of that
4486 is that there are some 40 million Americans walking around
4487 right now with a PFAS-based heart stent.

4488 There is nothing in the Bucshon amendment that will in
4489 any way threaten current PFAS cleanups across the country, or
4490 prevent future cleanups from happening. If anything, by
4491 eliminating the need for EPA to worry about medical devices,
4492 the Agency will be able to better focus its attention on

4493 where the actual problems are.

4494 I strongly support the Bucshon amendment. Let's try to
4495 make some sense out of this bill before us.

4496 And with that, I yield back.

4497 *Mr. Upton. Will the gentlelady yield?

4498 *Mrs. Lesko. I will.

4499 *Mr. Upton. I want to thank Dr. Bucshon for offering
4500 this amendment. I mean, we know that, for this bill to
4501 ultimately get to the President's desk, some changes are
4502 going to have to be made. And frankly, I think this is a
4503 very constructive amendment, to allow the FDA to have some
4504 say.

4505 And as the gentlelady from Arizona indicated, some 40
4506 million Americans are walking around with devices implanted
4507 with PFAS. And I would hope that, if this amendment does
4508 fail here in committee -- and we will see what happens --
4509 that we could see it offered on the House floor, and let the
4510 whole House decide this issue, and help send that as a
4511 possible landing spot for a bipartisan bill that, in fact,
4512 may reach some consensus in the Senate, as well.

4513 So, again, I want to compliment the gentleman from
4514 Indiana, and I certainly intend to support this amendment.

4515 With that I yield back to the lady from Arizona.

4516 *Mrs. Lesko. And I yield back.

4517 *The Chairman. Thank you.

4518 So we are on the Bucshon amendment. I don't know if
4519 there is anyone else who -- you do?

4520 All right, let me -- Ms. Kuster has her hand up,
4521 virtually, but that might be from before. Does the
4522 gentlewoman from New Hampshire want to speak on this
4523 amendment?

4524 *Ms. Kuster. No, sir. No, Mr. Chairman, I am sorry, I
4525 will take it down.

4526 *The Chairman. All right, thank you.

4527 All right, so who had their hand -- the gentleman is
4528 recognized for five minutes.

4529 *Mr. Palmer. Mr. Chairman, I support the Bucshon
4530 amendment, and I would just like to point out what Dr.
4531 Bucshon is talking about is singling out the fluoropolymers
4532 that are lumped in in this bill with all PFAS.

4533 It is well-established that these four polymers that he
4534 is talking about that are used in medical devices and other
4535 very important devices and products that we need for day-to-
4536 day living do not present a significant concern for human
4537 health or environment. There is peer-reviewed research that
4538 indicates that they meet internationally-recognized criteria
4539 to be considered polymers of low concern, and -- for
4540 potential risk to human health and the environment.

4541 And what you are literally doing, by not accepting this
4542 amendment, and not recognizing that there is a difference

4543 between the fluoropolymers and just the general universe of
4544 these chemicals, is denying people -- potentially, denying
4545 people treatment that could save their lives.

4546 And so I just wonder, Mr. Chairman, if you were about to
4547 have open heart surgery, are you so committed to eradicating
4548 all fluoropolymers and PFAS that you would instruct your
4549 physician, no matter the consequences and potential outcome
4550 of the surgery, not to use any medical device that contains a
4551 fluoropolymer?

4552 And I would ask that of the Democrats, because that is,
4553 literally, what you are saying that you want to do to the
4554 general population, is deny them access to products that
4555 could save their lives.

4556 I yield back.

4557 *Mr. Upton. Would the gentleman yield one more time?

4558 *Mr. Palmer. I will yield to the gentleman.

4559 *Mr. Upton. So I have a question for the sponsor of the
4560 amendment. I just wonder. As -- you know, as we passed 21st
4561 Century Cures, which impacted not only drugs, but also
4562 devices, that -- would there be then a requirement for the
4563 FDA to reapprove all the devices that have been previously
4564 reviewed and approved, if it had this material in it?

4565 Dr. Bucshon, would you --

4566 *Mr. Bucshon. Well, I think there is potential for
4567 that. Yes, of course. I mean, and there is also potential,

4568 I guess, you know, that -- well, like I mentioned in my
4569 comments, that declaring these products hazardous, there
4570 could be, you know, retroactive lawsuits, millions of them,
4571 class action lawsuits for any patient that has had this
4572 previously used as part of their medical therapy, even
4573 though, as Mr. Palmer outlined, these are polymers of low
4574 concern, have never been shown a risk to human health, and
4575 are approved by the FDA.

4576 So I would say, yes, there is potential that that could
4577 happen.

4578 *Mr. Upton. It is just another reason why I think it is
4579 -- this amendment is worthy for us to, if not pass today,
4580 when the bill reaches the House floor, and work with the
4581 Senate.

4582 And with that I yield back to the --

4583 *Mr. Palmer. I thank the gentleman for yielding back.

4584 And a question for Dr. Bucshon: If this bill were to
4585 pass without this amendment, is there the potential that the
4586 FDA would require that all medical devices containing the
4587 fluoropolymers be removed from use, or --

4588 *Mr. Bucshon. That would --

4589 *Mr. Palmer. -- at a minimum, be required to be --

4590 *Mr. Bucshon. I think they would be considered
4591 hazardous chemicals, and have to be recalled, yes.

4592 *Mr. Palmer. Mr. Chairman, again, I speak in support of

4593 this amendment, and I urge my Democratic colleagues to take
4594 seriously this amendment, and the potential for enormous harm
4595 in the area of health care for patients who would need these
4596 products, especially if this went into effect immediately,
4597 and we didn't have time to develop alternatives.

4598 I yield back.

4599 *The Chairman. I thank the gentleman.

4600 Does anyone else want to discuss the Bucshon amendment?

4601 All right, then we are going to go to a vote.

4602 *Mr. Bucshon. I am asking for a recorded vote, Mr.

4603 Chairman.

4604 *The Chairman. A recorded vote? Sure, we will go right
4605 to that.

4606 *Voice. Just let it go by voice. Go by --

4607 *The Chairman. A recorded vote is requested. Those in
4608 favor of the amendment will say aye, those opposed to the
4609 amendment will say no, and the clerk shall call the roll on
4610 the Bucshon amendment.

4611 *Voice. I was getting ready to say you are late.

4612 *The Clerk. Mr. --

4613 *Voice. I heard him.

4614 [Pause.]

4615 *The Clerk. Mr. Rush?

4616 [No response.]

4617 *The Clerk. Ms. Eshoo?

4618 *Ms. Eshoo. Eshoo of California votes no.
4619 *The Clerk. Ms. Eshoo votes no.
4620 Ms. DeGette?
4621 *Ms. DeGette. No.
4622 *The Clerk. Ms. DeGette votes no.
4623 Mr. Doyle?
4624 [No response.]
4625 *The Clerk. Ms. Schakowsky?
4626 [No response.]
4627 *The Clerk. Mr. Butterfield?
4628 *Mr. Butterfield. Butterfield votes no.
4629 *The Clerk. Ms. Schakowsky votes --
4630 *Mr. Doyle. Mr. Doyle votes no, also.
4631 *The Clerk. Mr. Doyle votes no, Ms. Schakowsky votes
4632 no.
4633 Mr. Butterfield?
4634 *Mr. Butterfield. Butterfield votes no.
4635 *The Clerk. Mr. Butterfield votes no.
4636 Ms. Matsui?
4637 *Ms. Matsui. Matsui votes no.
4638 *The Clerk. Ms. Matsui votes no.
4639 Ms. Castor?
4640 *Ms. Castor. No.
4641 *The Clerk. Ms. Castor votes no.
4642 Mr. Sarbanes?

4643 *Mr. Sarbanes. Sarbanes votes no.
4644 *The Clerk. Mr. Sarbanes votes no.
4645 Mr. McNerney?
4646 *Mr. McNerney. No.
4647 *The Clerk. Mr. McNerney votes no.
4648 Mr. Welch?
4649 [No response.]
4650 *The Clerk. Mr. Tonko?
4651 *Mr. Tonko. Tonko votes no.
4652 *The Clerk. Mr. Tonko votes no.
4653 Ms. Clarke?
4654 *Ms. Clarke. Ms. Clarke of New York votes no.
4655 *The Clerk. Ms. Clarke votes no.
4656 Mr. Schrader?
4657 *Mr. Schrader. Schrader votes yes.
4658 *The Clerk. Mr. Schrader votes yea.
4659 Mr. Cardenas?
4660 *Mr. Cardenas. From California, votes yes.
4661 [Pause.]
4662 *The Chairman. Did he --
4663 *The Clerk. Mr. Cardenas votes no.
4664 Mr. Ruiz?
4665 *Mr. Cardenas. I voted no, voted no, Cardenas no.
4666 *The Chairman. Some confusion over which -- Cardenas --
4667 Mr. Cardenas, do you want to vote again, so we know?

4668 [No response.]

4669 *The Chairman. Did you -- how do you have him recorded,
4670 Madam Clerk?

4671 *Mr. Cardenas. I am sorry, I had a bad connection --

4672 *The Clerk. I have him as no.

4673 *The Chairman. You have a question?

4674 He said he said no, so -- he just said no again.

4675 *The Clerk. Mr. Ruiz?

4676 *Mr. Ruiz. Ruiz votes no.

4677 *The Clerk. Mr. Ruiz votes no.

4678 Mr. Peters?

4679 *Mr. Peters. Peters votes no.

4680 *The Clerk. Mr. Peters votes no.

4681 Mrs. Dingell?

4682 *Mrs. Dingell. [Inaudible.]

4683 *The Clerk. Mrs. Dingell votes no.

4684 Mr. Veasey?

4685 [No response.]

4686 *The Clerk. Ms. Kuster?

4687 *Ms. Kuster. Kuster votes no.

4688 *The Clerk. Ms. Kuster votes no.

4689 Ms. Kelly?

4690 *Ms. Kelly. Kelly votes no.

4691 *The Clerk. Ms. Kelly votes no.

4692 Ms. Barragan?

4693 *Ms. Barragan. Barragan votes no.
4694 *The Clerk. Ms. Barragan votes no.
4695 Mr. McEachin?
4696 *Mr. McEachin. McEachin votes no.
4697 *The Clerk. Mr. McEachin votes no.
4698 Ms. Blunt Rochester?
4699 *Ms. Blunt Rochester. Blunt Rochester votes no.
4700 *The Clerk. Ms. Blunt Rochester votes no.
4701 Mr. Soto?
4702 *Mr. Soto. Soto votes no.
4703 *The Clerk. Mr. Soto votes no.
4704 Mr. O'Halleran?
4705 *Mr. O'Halleran. O'Halleran votes no.
4706 *The Clerk. Mr. O'Halleran votes no.
4707 Miss Rice?
4708 *Miss Rice. Miss Rice votes no.
4709 *The Clerk. Miss Rice votes no.
4710 Ms. Craig?
4711 *Ms. Craig. Ms. Craig votes no.
4712 *The Clerk. Ms. Craig votes no.
4713 Ms. Schrier?
4714 *Ms. Schrier. Schrier votes no.
4715 *The Clerk. Ms. Schrier votes no.
4716 Mrs. Trahan?
4717 *Mrs. Trahan. Trahan votes no.

4718 *The Clerk. Mrs. Trahan votes no.
4719 Mrs. Fletcher?
4720 *Mrs. Fletcher. Mrs. Fletcher votes no.
4721 *The Clerk. Mrs. Fletcher votes no.
4722 Mrs. Rodgers?
4723 *Mrs. Rodgers. Mrs. Rodgers votes aye.
4724 *The Clerk. Mrs. Rodgers votes yea.
4725 Mr. Upton?
4726 *Mr. Upton. Votes -- Upton votes aye.
4727 *The Clerk. Mr. Upton votes yea.
4728 Mr. Burgess?
4729 *Mr. Burgess. Votes aye.
4730 *The Clerk. Mr. Burgess votes yea.
4731 Mr. Scalise?
4732 [No response.]
4733 *The Clerk. Mr. Latta?
4734 *Mr. Latta. Latta votes aye.
4735 *The Clerk. Mr. Latta votes aye.
4736 Mr. Guthrie?
4737 *Mr. Guthrie. Aye.
4738 *The Clerk. Mr. Guthrie votes aye.
4739 Mr. McKinley?
4740 *Mr. McKinley. McKinley votes aye.
4741 *The Clerk. Mr. McKinley votes aye.
4742 Mr. Kinzinger?

4743 *Mr. Kinzinger. Kinzinger votes aye.
4744 *The Clerk. Mr. Kinzinger votes aye.
4745 Mr. Griffith?
4746 *Mr. Griffith. Aye.
4747 *The Clerk. Mr. Griffith votes aye.
4748 Mr. Bilirakis?
4749 *Mr. Bilirakis. [Inaudible.]
4750 *The Clerk. Mr. Bilirakis votes aye.
4751 Mr. Johnson?
4752 *Mr. Johnson. Johnson votes aye.
4753 *The Clerk. Mr. Johnson votes aye.
4754 Mr. Long?
4755 *Mr. Long. Mr. Long votes aye.
4756 *The Clerk. Mr. Long votes aye.
4757 Mr. Bucshon?
4758 *Mr. Bucshon. Mr. Bucshon votes aye.
4759 *The Clerk. Mr. Bucshon votes aye.
4760 Mr. Mullin?
4761 [No response.]
4762 *The Clerk. Mr. Hudson?
4763 *Mr. Hudson. Hudson votes no.
4764 *The Clerk. Mr. Hudson votes no.
4765 Mr. Walberg?
4766 *Mr. Walberg. Aye.
4767 *The Clerk. Mr. Walberg votes aye.

4768 Mr. Carter?
4769 *Mr. Carter. Carter votes aye.
4770 *The Clerk. Mr. Carter votes aye.
4771 Mr. Duncan?
4772 *Mr. Duncan. Duncan votes aye.
4773 *The Clerk. Mr. Duncan votes aye.
4774 Mr. Palmer?
4775 *Mr. Palmer. Mr. Palmer votes aye.
4776 *The Clerk. Mr. Palmer votes aye.
4777 Mr. Dunn?
4778 *Mr. Dunn. Dunn votes aye.
4779 *The Clerk. Mr. Dunn votes aye.
4780 Mr. Curtis?
4781 *Mr. Curtis. Curtis votes aye.
4782 *The Clerk. Mr. Curtis votes aye.
4783 Mrs. Lesko?
4784 *Mrs. Lesko. Lesko votes aye.
4785 *The Clerk. Mrs. Lesko votes aye.
4786 Mr. Pence?
4787 *Mr. Pence. Pence votes aye.
4788 *The Clerk. Mr. Pence votes aye.
4789 Mr. Crenshaw?
4790 *Mr. Crenshaw. Crenshaw votes aye.
4791 *The Clerk. Mr. Crenshaw votes aye.
4792 Mr. Joyce?

4793 [No response.]

4794 *The Clerk. Mr. Armstrong?

4795 *Mr. Armstrong. Yes.

4796 *The Clerk. Mr. Armstrong votes aye.

4797 Chairman Pallone?

4798 *The Chairman. Pallone votes no.

4799 *The Clerk. Chairman Pallone votes no.

4800 *Mr. Welch. Congressman Welch, how am I --

4801 *The Chairman. We have some that are not recorded.

4802 Mr. Veasey just stepped in.

4803 *Mr. Cardenas. This is Cardenas. How am I recorded?

4804 *The Chairman. Cardenas is recorded as a no.

4805 *The Clerk. Mr. Cardenas voted no.

4806 *Voice. This is --

4807 *The Chairman. Do we have Mr. Veasey?

4808 *The Clerk. Mr. Veasey is not recorded.

4809 *Mr. Veasey. [Inaudible.]

4810 *The Clerk. Mr. Veasey votes no.

4811 *The Chairman. Mr. Scalise?

4812 *Mr. Scalise. Scalise votes aye.

4813 *The Clerk. Mr. Scalise votes aye.

4814 *Mr. Welch. Mr. Welch?

4815 *The Chairman. Mr. Rush? Oh, Mr. Welch?

4816 *The Clerk. Mr. Welch is not recorded.

4817 *The Chairman. Mr. Welch, how do you want to be

4818 recorded?

4819 [No response.]

4820 *The Chairman. The gentleman from Vermont, are you
4821 there?

4822 *Mr. Welch. Yes, I vote no.

4823 *The Clerk. Mr. Welch votes no.

4824 *The Chairman. Mr. Rush of Illinois?

4825 *Mr. Rush. Mr. Rush, no.

4826 *The Clerk. Mr. Rush votes no.

4827 *The Chairman. Is there anyone else who is not recorded
4828 who wants to be recorded?

4829 Is Gus recorded?

4830 Did you vote, Gus?

4831 *Mr. Bilirakis. I did.

4832 *The Chairman. Okay, all right, then the clerk will
4833 call the roll.

4834 *Mr. Bilirakis. I voted twice.

4835 *The Chairman. Now, we can't have that.

4836 Don't comment, please.

4837 *The Clerk. Mr. Chairman, on that vote the yeas were
4838 24, and the nays were 32.

4839 *The Chairman. Twenty-four yeas and thirty-two nays?

4840 *The Clerk. Yes, sir.

4841 *The Chairman. Okay, so on the Bucshon amendment the
4842 vote is 24 yeas to 32 noes. The amendment is not agreed to.

4843 Are there further amendments?

4844 Yes, Mr. Walberg, yes, the gentleman from Michigan.

4845 *Mr. Walberg. Thank you, Mr. Chairman. Before I speak
4846 to my amendment I would like to ask unanimous consent to
4847 enter into the record several letters from industry
4848 stakeholders opposing the PFAS Action Act.

4849 The first is a letter of opposition from the U.S.
4850 Chamber of Commerce, National Association of Manufacturers,
4851 and 16 other groups.

4852 The second is a letter from organizations representing
4853 our nation's mayors, cities, and counties.

4854 The third is a letter from the American Water Works
4855 Association, National Rural Water Association, and other
4856 water groups.

4857 And the fourth is a letter from the American Chemistry
4858 Council.

4859 *The Chairman. Mr. Walberg, unless I have them in hand,
4860 we are just going to put them in the record at the end. You
4861 want to give them to me, and then we will look at them and --
4862 as we proceed?

4863 So did we report the Walberg amendment?

4864 Oh, what is the label of it, number for it?

4865 *Mr. Walberg. Number 10.

4866 *The Chairman. Number 10. Do you have it, Madam Clerk?

4867 *The Clerk. Yes.

4868 *The Chairman. You have it?

4869 *The Clerk. Yes.

4870 *The Chairman. The clerk will report the amendment.

4871 *The Clerk. Yes, amendment in the nature of a
4872 substitute to H.R. 2467, offered by Mr. Walberg of Michigan.

4873 *The Chairman. Without objection, the reading of the
4874 amendment will be dispensed with.

4875 [The amendment of Mr. Walberg follows:]

4876

4877 *****COMMITTEE INSERT*****

4878

4879 *Mr. Walberg. And the gentleman from Michigan is
4880 recognized for five minutes to strike the last word.

4881 *Mr. Walberg. Thank you, Mr. Chairman. I have been
4882 working to combat PFAS in my home state of Michigan for many
4883 years, including with my Michigan colleagues on this
4884 committee, good friends Congressman Upton and Congresswoman
4885 Dingell. In 2017 Congresswoman Dingell and I hosted
4886 representatives from the EPA at several contaminated sites in
4887 southeast Michigan, so they could see firsthand the extent of
4888 the problem in our state, which has continued.

4889 Fortunately, the State of Michigan has been at the
4890 forefront in aggressively testing, tracking, and cleaning up
4891 harmful PFAS. In fact, scientists attribute Michigan's high
4892 number of PFAS sites to the fact that the state has taken a
4893 lead role in aggressively looking for PFAS contamination.

4894 My colleagues and I recognize this growing problem early
4895 on, and took action. We formed the Congressional PFAS Task
4896 Force, and pushed for greater collaboration between agencies
4897 and the necessary resources for PFAS research and response
4898 efforts. Many of our efforts have been enacted into law,
4899 including a bill that now requires Federal agencies to
4900 cooperate with states in cleaning up PFAS contamination near
4901 military installations.

4902 Mr. Chairman, I strongly support continued action to
4903 protect the public health and ensure our water supply is safe

4904 and clean from harmful levels of PFAS. But I have serious
4905 concerns that the bill before us today overreaches beyond
4906 what we know about the problem, and hinders ongoing Federal
4907 scientific reviews and other actions being taken by states
4908 and the EPA.

4909 With so much still unknown about the over 9,000
4910 different PFAS chemicals, the PFAS Action Act prejudices
4911 outcomes, showing little regard for objective science, risk
4912 assessment, or transparency. The bill replaces EPA's
4913 scientific judgment with Congress's political judgment by
4914 imposing a de facto ban on all PFAS. It mandates serious
4915 legal requirements on an unknown number of persons, towns,
4916 and companies without any public input or feedback from the
4917 EPA.

4918 The amendment I am proposing simply states that using
4919 objective, high-quality science, engaging with the larger
4920 scientific community, using transparent processes like public
4921 comment opportunities, and taking a measured, informed, and
4922 targeted approach has produced a broad response to PFAS by
4923 the EPA. The amendment lists a number of historic,
4924 legislative, and regulatory actions that have been taken by
4925 both Congress and two presidential administrations to clean
4926 up PFAS, protect drinking water, and increase our
4927 understanding of these chemicals.

4928 All of these actions have been taken without mandates

4929 like those proposed in the bill. For example, the 2020 and
4930 2021 NDAA's contain provisions requiring the DoD to clean up
4931 PFAS under the Defense Environment Response Act, and reduce
4932 exposure to these chemicals, phase out PFAS firefighting
4933 foam, and improve monitoring of groundwater and drinking
4934 water. And finally, earlier this year, the EPA made final
4935 determination as to issue primary drinking water regulations
4936 under the Safe Drinking Water Act. They also released
4937 interim guidance outlining the current science on techniques
4938 to dispose these materials safely, along with many other
4939 initiatives.

4940 With all that said, the bottom line here is that just
4941 because the PFAS Action Act isn't law does not mean action
4942 hasn't been taken on PFAS. Through proper scientific review
4943 and rulemaking processes, the EPA is already addressing more
4944 than half of the contents of this bill. We should let them
4945 do their jobs, and refrain from overhauling existing
4946 regulatory structure, squandering Federal investments, or
4947 complicating further rulemaking.

4948 I urge support for my amendment, and I yield back.

4949 *The Chairman. I thank the gentleman from Michigan.

4950 I have reviewed the letters that you wanted to put in
4951 the record. So without objection, so ordered, we will enter
4952 those into the record.

4953

4954

4955 [The information follows:]

4956

4957 *****COMMITTEE INSERT*****

4958

4959 *The Chairman. Is there anyone who wants to speak on
4960 the Walberg amendment?

4961 Mr. Tonko, the gentleman from New York, is recognized
4962 for five minutes.

4963 *Mr. Tonko. Thank you, Mr. Chairman. This amendment
4964 replaces the bipartisan bill that passed last Congress with a
4965 non-enforceable sense of Congress that outlines the inaction
4966 by the Trump Administration.

4967 Communities simply can't keep waiting for action. We
4968 have a strong bipartisan bill before us that regulates PFAS
4969 in our drinking water. It provides funding for cleanup,
4970 holds polluters liable for their contamination, and begins
4971 the process of finally cleaning up this forever chemical from
4972 countless communities.

4973 This amendment is just another blatant attempt to slow
4974 the process, and make impacted communities wait even longer
4975 for remediation. So Congress can demonstrate leadership on
4976 this issue, and make certain that public health and safety
4977 are protected.

4978 Therefore, I urge my colleagues to oppose this
4979 amendment, Mr. Chair, and I yield back.

4980 *The Chairman. I thank the gentleman.

4981 Do we have others who want to speak on the Walberg
4982 amendment? Nobody virtually?

4983 All right, we will go to a vote.

4984 If there is no further debate, we will proceed to a vote
4985 on the Walberg amendment.

4986 All those in favor will signify by saying aye.

4987 All those opposed will say no.

4988 [Laughter.]

4989 *The Chairman. You want a recorded vote? Okay.

4990 A recorded vote is ordered. Those in favor of the
4991 Walberg amendment will say aye, those opposed will say no,
4992 and the clerk shall call the roll.

4993 *The Clerk. Mr. Rush?

4994 *Mr. Rush. Rush of Illinois votes no.

4995 *The Chairman. Mr. Rush votes no.

4996 Ms. Eshoo?

4997 *Ms. Eshoo. Eshoo of California votes no.

4998 *The Clerk. Ms. Eshoo votes no.

4999 Ms. DeGette?

5000 *Ms. DeGette. No.

5001 *The Clerk. Ms. DeGette votes no.

5002 Mr. Doyle?

5003 *Mr. Doyle. No.

5004 *The Clerk. Mr. Doyle votes no.

5005 Ms. Schakowsky?

5006 *Ms. Schakowsky. [Inaudible.]

5007 *The Clerk. Ms. Schakowsky votes no.

5008 Mr. Butterfield?

5009 *Mr. Butterfield. Butterfield votes no.
5010 *The Clerk. Mr. Butterfield votes no.
5011 Ms. Matsui?
5012 *Ms. Matsui. Matsui votes no.
5013 *The Clerk. Ms. Matsui votes no.
5014 Ms. Castor?
5015 *Ms. Castor. [Inaudible.]
5016 *The Clerk. Ms. Castor votes no.
5017 Mr. Sarbanes?
5018 [No response.]
5019 *The Clerk. Mr. McNerney?
5020 *Mr. McNerney. No.
5021 *The Clerk. Mr. McNerney votes no.
5022 Mr. Welch?
5023 *Mr. Welch. Mr. Welch of Vermont votes no.
5024 *The Clerk. Mr. Welch votes no.
5025 Mr. Tonko?
5026 *Mr. Tonko. Tonko votes no.
5027 *The Clerk. Mr. Tonko votes no.
5028 Ms. Clarke?
5029 [No response.]
5030 *The Clerk. Mr. Schrader?
5031 *Mr. Schrader. Schrader votes no.
5032 *The Clerk. Mr. Schrader votes no.
5033 Mr. Cardenas?

5034 *Mr. Cardenas. Cardenas from California votes no.
5035 *The Clerk. Mr. Cardenas votes no.
5036 Mr. Ruiz?
5037 *Mr. Ruiz. Ruiz from California votes no.
5038 *The Clerk. Mr. Ruiz votes no.
5039 Mr. Peters?
5040 [No response.]
5041 *The Clerk. Mrs. Dingell?
5042 *Mrs. Dingell. [Inaudible.]
5043 *The Clerk. Mrs. Dingell votes no.
5044 Mr. Veasey?
5045 *Mr. Veasey. No.
5046 *The Clerk. Mr. Veasey votes no.
5047 Ms. Kuster?
5048 *Ms. Kuster. Kuster votes no.
5049 *The Clerk. Ms. Kuster votes no.
5050 Ms. Kelly?
5051 *Ms. Kelly. Kelly votes no.
5052 *The Clerk. Ms. Kelly votes no.
5053 Ms. Barragan?
5054 *Ms. Barragan. Barragan votes no.
5055 *The Clerk. Ms. Barragan votes no.
5056 Mr. McEachin?
5057 *Mr. McEachin. McEachin votes no.
5058 *The Clerk. Mr. McEachin votes no.

5059 Ms. Blunt Rochester?
5060 *Ms. Blunt Rochester. Blunt Rochester votes no.
5061 *The Clerk. Ms. Blunt Rochester votes no.
5062 Mr. Soto?
5063 *Mr. Soto. Soto votes no.
5064 *The Clerk. Mr. Soto votes no.
5065 Mr. O'Halleran?
5066 *Mr. O'Halleran. O'Halleran votes no.
5067 *The Clerk. Mr. O'Halleran votes no.
5068 Miss Rice?
5069 *Miss Rice. Rice votes no.
5070 *The Clerk. Miss Rice votes no.
5071 Ms. Craig?
5072 *Ms. Craig. Craig votes no.
5073 *The Clerk. Ms. Craig votes no.
5074 Ms. Schrier?
5075 *Ms. Schrier. Schrier votes no.
5076 *The Clerk. Ms. Schrier votes no.
5077 Mrs. Trahan?
5078 *Mrs. Trahan. Trahan votes no.
5079 *The Clerk. Mrs. Trahan votes no.
5080 Mrs. Fletcher?
5081 *Mrs. Fletcher. Fletcher votes no.
5082 *The Clerk. Mrs. Fletcher votes no.
5083 Mrs. Rodgers?

5084 *Mrs. Rodgers. [Inaudible.]
5085 *The Clerk. Mrs. Rodgers votes aye.
5086 Mr. Upton?
5087 *Mr. Upton. [Inaudible.]
5088 *The Clerk. Mr. Upton votes no.
5089 Mr. Burgess?
5090 *Mr. Burgess. Burgess votes aye.
5091 *The Clerk. Mr. Burgess votes aye.
5092 Mr. Scalise?
5093 [No response.]
5094 *The Clerk. Mr. Latta?
5095 *Mr. Latta. Aye.
5096 *The Clerk. Mr. Latta votes aye.
5097 Mr. Guthrie?
5098 *Mr. Guthrie. [Inaudible.]
5099 *The Clerk. Mr. Guthrie votes aye.
5100 Mr. McKinley?
5101 *Mr. McKinley. [Inaudible.]
5102 *The Clerk. Mr. McKinley votes no.
5103 Mr. Kinzinger?
5104 *Mr. Kinzinger. Kinzinger, aye.
5105 *The Clerk. Mr. Kinzinger votes aye.
5106 Mr. Griffith?
5107 *Mr. Griffith. Aye.
5108 *The Clerk. Mr. Griffith votes aye.

5109 Mr. Bilirakis?

5110 *Mr. Bilirakis. Aye.

5111 *The Clerk. Mr. Bilirakis votes aye.

5112 Mr. Johnson?

5113 *Mr. Johnson. Aye.

5114 *The Clerk. Mr. Johnson votes aye.

5115 Mr. Long?

5116 *Mr. Long. Aye.

5117 *The Clerk. Mr. Long votes aye.

5118 Mr. Bucshon?

5119 *Mr. Bucshon. Bucshon votes aye.

5120 *The Clerk. Mr. Bucshon votes aye.

5121 Mr. Mullin?

5122 [No response.]

5123 *Voice. I am not changing the name. Our new chairman

5124 is --

5125 *The Clerk. Mr. Hudson?

5126 *Mr. Hudson. Hudson votes no.

5127 *The Clerk. Mr. Hudson votes no.

5128 Mr. Walberg?

5129 *Mr. Walberg. Walberg votes aye.

5130 *The Clerk. Mr. Walberg votes aye.

5131 Mr. Carter?

5132 *Mr. Carter. Carter votes aye.

5133 *The Clerk. Mr. Carter votes aye.

5134 Mr. Duncan?

5135 *Mr. Duncan. Mr. Duncan votes aye.

5136 *The Clerk. Mr. Duncan votes aye.

5137 Mr. Palmer?

5138 *Mr. Palmer. Palmer votes yea.

5139 *The Clerk. Mr. Palmer votes aye.

5140 Mr. Dunn?

5141 *Mr. Dunn. Dunn votes aye.

5142 *The Clerk. Mr. Dunn votes aye.

5143 Mr. Curtis?

5144 *Mr. Curtis. Curtis votes aye.

5145 *The Clerk. Mr. Curtis votes aye.

5146 Mrs. Lesko?

5147 *Mrs. Lesko. Lesko votes aye.

5148 *The Clerk. Mrs. Lesko votes aye.

5149 Mr. Pence?

5150 *Mr. Pence. Pence votes aye.

5151 *The Clerk. Mr. Pence votes aye.

5152 Mr. Crenshaw?

5153 *Mr. Crenshaw. Crenshaw votes aye.

5154 *The Clerk. Mr. Crenshaw votes aye.

5155 Mr. Joyce?

5156 [No response.]

5157 *The Clerk. Mr. Armstrong?

5158 *Mr. Armstrong. Yes.

5159 *The Clerk. Mr. Armstrong votes aye.
5160 Chairman Pallone?
5161 *The Chairman. Votes no.
5162 *The Clerk. Chairman Pallone votes no.
5163 *Ms. Clarke. Mr. Chairman?
5164 *Mr. Sarbanes. How am I recorded? Congressman
5165 Sarbanes.
5166 *The Clerk. Mr. Sarbanes is not recorded.
5167 *Mr. Sarbanes. Sarbanes votes no.
5168 *Mr. Peters. How is Peters recorded?
5169 *Ms. Clarke. Mr. Chairman?
5170 *The Clerk. -- Sarbanes votes no.
5171 *Voice. Peters?
5172 *The Chairman. Mr. Peters?
5173 *Mr. Peters. Peters votes no.
5174 *The Clerk. Mr. Peters --
5175 *Ms. Clarke. Mr. Chairman?
5176 *The Clerk. -- votes no.
5177 *The Chairman. Ms. Clarke?
5178 *Ms. Clarke. How am I recorded?
5179 *The Clerk. Ms. Clarke is not recorded.
5180 *Ms. Clarke. Mr. Chairman, Clarke of New York votes no.
5181 *The Clerk. Ms. Clarke votes no.
5182 *The Chairman. Is there anyone else who we missed?
5183 Yes, Mr. Scalise?

5184 *Mr. Scalise. [Inaudible.]

5185 *The Clerk. Mr. Scalise votes aye.

5186 *The Chairman. Anyone else who is not recorded and
5187 wants to vote, virtually or otherwise?

5188 All right, then we will have the clerk report the tally.

5189 *The Clerk. On that vote, Mr. Chairman, the yeas were
5190 21 and the nays were 35.

5191 *The Chairman. Thirty-five. So on the Walberg
5192 amendment the vote is 21 ayes to 35 noes, and the amendment
5193 is not agreed to.

5194 Are there further amendments?

5195 No additional amendments? Okay. Oh, who has got the
5196 handout?

5197 Which one do you want to do first?

5198 Mr. -- the gentleman from Texas, what is your number?

5199 Does the clerk have his amendment?

5200 *The Clerk. What is the title?

5201 *Mrs. Rodgers. Eighteen.

5202 *Mr. Crenshaw. Number 18.

5203 *The Chairman. Number 18, apparently.

5204 *The Clerk. Yes.

5205 *The Chairman. You have that one?

5206 *The Clerk. Yes.

5207 *The Chairman. The clerk will report the Crenshaw
5208 amendment.

5209 *The Clerk. Amendment to H.R. 2467, offered by Mr.
5210 Crenshaw of Texas. In section 2, redesignate subsections D
5211 and E as --

5212 *The Chairman. Without objection, the reading of the
5213 amendment will be dispensed with.

5214 [The amendment of Mr. Crenshaw follows:]

5215

5216 *****COMMITTEE INSERT*****

5217

5218 *The Chairman. And the gentleman from Texas is
5219 recognized for five minutes.

5220 *Mr. Crenshaw. Thank you, Mr. Chairman.

5221 Look, I don't think that this body can be the arbiter of
5222 science, and determine the toxicity of well over 9,000
5223 chemicals that even the EPA has yet to determine as
5224 hazardous. We are not saying that --

5225 *Ms. Kelly. Excuse me, Mr. Chair, I wanted to reserve a
5226 point of order.

5227 *Mr. Crenshaw. -- these things shouldn't be evaluated,
5228 but --

5229 *Ms. Kelly. I don't think you heard me.

5230 [Laughter.]

5231 *The Chairman. Who is that?

5232 Could someone -- what does she want to do?

5233 Oh, it is too late to do a point of order, Madam --

5234 *Ms. Clarke. I said I wanted to reserve a point of
5235 order.

5236 *The Chairman. Oh, that is --

5237 *Ms. Clarke. I am sorry.

5238 *The Chairman. Mr. Crenshaw, continue.

5239 *Mr. Crenshaw. We are not saying these things shouldn't
5240 be evaluated, but we are deciding on behalf of the EPA that
5241 these chemicals should be listed. And there is a process
5242 already from the EPA to determine toxicity. But this bill

5243 gives them one option: find all of them toxic, or none of
5244 them.

5245 And we didn't give them a standard to follow, either,
5246 which means that they have to determine a standard, and find
5247 the full lot of over 9,000 chemicals as hazardous or not.
5248 And we have to ask ourselves, how are they going to evaluate
5249 these in the future?

5250 What if EPA can't act on this all-or-nothing directive
5251 we have given them, and declines to list any as hazardous?

5252 What flexibility will they have in listing one chemical
5253 in the future?

5254 And maybe if we didn't use these chemicals, that would
5255 be fine, but we do. I think that is the point our Republican
5256 colleagues have been making via these amendments. We use
5257 them for fire retardants. We use them on the curtains in
5258 here, we use them for medical devices. Under this
5259 legislation, the CAO would be liable, under CERCLA, for
5260 disposal of the curtains. You would be making the House of
5261 Representatives into a Superfund site.

5262 So maybe we ignore the fire retardant on the curtains,
5263 or we subject ourselves to the risk of working in an old
5264 building with fire hazards. But we also use PFAS in
5265 something that I can attest to as having great benefit, which
5266 is Kevlar vests. So we are trading immediate protection from
5267 harm for limited protection from harm, and that is something

5268 that we can't even measure.

5269 So I think this bill takes the wrong approach, and I
5270 hope that my colleagues will vote on my amendment that makes
5271 an exceptions for national security: in this particular
5272 case, products such as Kevlar vests.

5273 I yield back.

5274 *The Chairman. Oh, you mean the House --

5275 *Mrs. Rodgers. Frank?

5276 *Voice. He yielded back.

5277 *The Chairman. Mr. Crenshaw yielded back. Ms. DeGette
5278 is recognized for five minutes.

5279 *Ms. DeGette. Thank you, Mr. Speaker.

5280 *The Chairman. Speaker, huh?

5281 *Ms. DeGette. Or -- Mr. Speaker? No, sorry to give you
5282 a demotion.

5283 *The Chairman. It is all right.

5284 *Ms. DeGette. Mr. Chairman, this amendment creates
5285 unnecessary exceptions for PFAS related to manufacture of
5286 military-grade equipment under Superfund title -- section
5287 five of TSCA, and unsafe incineration requirements under
5288 RCRA.

5289 So a lot of manufacturers deal with hazardous substances
5290 listed under Superfund every day. Superfund liability is an
5291 important deterrent that incentivizes parties to handle these
5292 materials responsibly, and takes care to avoid releases. If

5293 parties do not cause a release of pollution, they won't have
5294 a problem. And if they do cause a release, then they should
5295 be liable to clean it up.

5296 This amendment also provides an exemption from section 9
5297 of the bill, which prohibits unsafe incineration of PFAS.

5298 Look, we should not tolerate unsafe disposal and unsafe
5299 incineration of PFAS under any circumstances, regardless of
5300 what type of equipment they were related to, like military-
5301 grade equipment. And if we really want to address the threat
5302 of PFAS exposure, we need to make sure strong protections are
5303 in place.

5304 But this amendment would create loopholes, which would
5305 ultimately remove incentives for the initial safe handling
5306 and disposal of PFAS. So for that reason, my colleagues, I
5307 urge you to oppose this amendment, to support the bill, and I
5308 yield back.

5309 *The Chairman. I thank the gentlewoman from Colorado.
5310 I believe Mr. Duncan had his hand up, and Mr. Duncan is
5311 recognized --

5312 *Mr. Duncan. Mr. Chairman, I move to strike the last
5313 word.

5314 *The Chairman. The gentleman is recognized.

5315 *Mr. Duncan. Thank you. I rise to express my support
5316 for Mr. Crenshaw's amendment, and this amendment will exempt
5317 liability -- exempt from liability military equipment and

5318 protective gear used to protect people who took an oath to
5319 defend the Constitution of the United States.

5320 We should not add to the list a new liability burden
5321 that will shut down the domestic manufacturing of critical
5322 gear that these people need. As mentioned, this bill is a de
5323 facto ban on the use of any of the 9,252 existing PFAS
5324 products. Imposing a blanket ban on the entire class without
5325 determining a specific PFAS has been deemed to be an
5326 environmental hazard is kind of irresponsible governing.

5327 This anti-science approach, actually, put our military
5328 manufacturers at a competitive disadvantage. Many of the
5329 PFAS chemicals in this potentially regulated class provide an
5330 unquestionable benefit to military textiles in the 3rd
5331 district of South Carolina that I represent, and actually,
5332 the entire state, and North Carolina, and Virginia. They are
5333 home to many textile companies, and these companies are
5334 responsible for manufacturing protective gear that our
5335 military and our first responders rely on daily. A blanket
5336 regulatory approach to all PFAS would undercut their ability
5337 to manufacture these products.

5338 PFAS chemicals have a variety of different properties,
5339 and due to this variation should not be regulated as a single
5340 group. Each individual chemistry should be regulated on the
5341 specific risk that it poses. A risk associated with one
5342 member of the class should not be attributed to other members

5343 without science and data to back it up.

5344 I support Mr. Crenshaw's amendment to exempt PFAS used
5345 in protective gear for law enforcement, military, first
5346 responders in this legislation. These are people that
5347 protect us daily. Should they not be protected?

5348 What is the alternative, without the PFAS chemicals that
5349 go into those textiles?

5350 So let's not undercut our military and U.S.
5351 manufacturing, for that matter, because we refuse to follow
5352 the science. We have seen too many textile companies closed
5353 due to trade deals that disadvantaged the United States.
5354 Let's not disadvantage the industry even further by enacting
5355 environmental laws that disadvantage the United States
5356 military and manufacturers with no impact on the environment.

5357 So, Mr. Chairman, we should not put entire domestic
5358 industries at risk over substances which we have little or no
5359 information. We are just lumping them all into one big pile.

5360 A vote for this amendment, Mr. Crenshaw's amendment, is
5361 about to protect the critical material that is used to
5362 protect our military and police forces, which, in turn,
5363 ensures public safety and American security. It is also a
5364 vote to protect United States manufacturing. So with that, I
5365 urge that my colleagues support Mr. Crenshaw's amendment, and
5366 I yield back.

5367 *The Chairman. I thank the gentleman. I believe Mr.

5368 Tonko would like to speak next. The gentleman is recognized
5369 for five minutes.

5370 *Mr. Tonko. Yes, Mr. Chair, I move to strike the last
5371 word, please.

5372 We have heard very similar arguments in the previous
5373 amendment, and I would like to clarify a few things.

5374 First, CERCLA liability is just that, it is not a ban.
5375 Military-grade equipment includes CERCLA-listed materials,
5376 and they are still able to be made.

5377 Second, this bill would not cover all PFAS. It would
5378 require action on PFOA and PFOS, the two best understood
5379 chemicals, immediately, while EPA reviews health and safety
5380 data on other substances.

5381 The use of PFAS in military equipment is not a release
5382 of contamination to the environment under CERCLA, and CERCLA
5383 liability covers only cleanup of environmental contamination,
5384 not personal injuries. So the makers of these products
5385 should have to take care when using PFAS in their
5386 manufacturing processes. If their carelessness leads to a
5387 release into the environment, they should absolutely have to
5388 clean it up.

5389 And with that. Mr. Chair, I yield back.

5390 *The Chairman. I thank the gentleman.

5391 Does anyone else want to speak on the Crenshaw
5392 amendment? Anybody virtually?

5393 Okay, so then we will move to a vote.

5394 *Mr. Crenshaw. Mr. Chairman, we request a recorded
5395 vote.

5396 *The Chairman. Mr. Crenshaw requests a recorded vote.
5397 A recorded vote is ordered. Those in favor of the Crenshaw
5398 amendment will say aye, those opposed will say no, and the
5399 clerk shall call the roll.

5400 *The Clerk. Mr. Rush?

5401 [Pause.]

5402 *Mr. Rush. Rush votes --

5403 *The Clerk. Ms. --

5404 *Mr. Rush. Rush votes no.

5405 *The Clerk. Mr. Rush votes no.

5406 Ms. Eshoo?

5407 *Ms. Eshoo. Eshoo of California votes no.

5408 *The Clerk. Ms. Eshoo votes no.

5409 Ms. DeGette?

5410 *Ms. DeGette. No.

5411 *The Clerk. Ms. DeGette votes no.

5412 Mr. Doyle?

5413 *Mr. Doyle. No.

5414 *The Clerk. Mr. Doyle votes no.

5415 Ms. Schakowsky?

5416 *Ms. Schakowsky. No.

5417 *The Clerk. Ms. Schakowsky votes no.

5418 Mr. Butterfield?

5419 *Mr. Butterfield. Butterfield votes no.

5420 *The Clerk. Mr. Butterfield votes no.

5421 Ms. Matsui?

5422 [No response.]

5423 *The Clerk. Ms. Castor?

5424 *Ms. Castor. No.

5425 *The Clerk. Ms. Castor votes no.

5426 Mr. Sarbanes?

5427 *Mr. Sarbanes. Sarbanes votes no.

5428 *The Clerk. Mr. Sarbanes votes no.

5429 Mr. McNerney?

5430 [No response.]

5431 *The Clerk. Mr. Welch?

5432 *Mr. Welch. Mr. Welch of Vermont votes no.

5433 *The Clerk. Mr. Welch votes no.

5434 Mr. Tonko?

5435 *Mr. Tonko. Tonko votes no.

5436 *The Clerk. Mr. Tonko votes no.

5437 Ms. Clarke?

5438 *Ms. Clarke. Ms. Clarke of New York votes no.

5439 *The Clerk. Ms. Clarke votes no.

5440 Mr. Schrader?

5441 *Mr. Schrader. Schrader votes yes.

5442 *The Clerk. Mr. Schrader votes aye.

5443 Mr. Cardenas?
5444 *Mr. Cardenas. Mr. Cardenas from California votes no.
5445 *The Clerk. Mr. Cardenas votes no.
5446 Mr. Ruiz?
5447 *Mr. Ruiz. Ruiz from California votes no.
5448 *The Clerk. Mr. Ruiz votes no.
5449 Mr. Peters?
5450 *Mr. Peters. Peters votes no.
5451 *The Clerk. Mr. Peters votes no.
5452 Mrs. Dingell?
5453 *Mrs. Dingell. [Inaudible.]
5454 *The Clerk. Mrs. Dingell votes no.
5455 Mr. Veasey?
5456 *Mr. Veasey. [Inaudible.]
5457 *The Clerk. Mr. Veasey votes no.
5458 Ms. Kuster?
5459 *Ms. Kuster. Kuster votes no.
5460 *The Clerk. Ms. Kuster votes no.
5461 Ms. Kelly?
5462 *Ms. Kelly. Kelly votes no.
5463 *The Clerk. Ms. Kelly votes no.
5464 Ms. Barragan?
5465 *Ms. Barragan. Barragan votes no.
5466 *The Clerk. Ms. Barragan votes no.
5467 Mr. McEachin?

5468 *Mr. McEachin. McEachin votes no.
5469 *The Clerk. Mr. McEachin votes no.
5470 Ms. Blunt Rochester?
5471 *Ms. Blunt Rochester. Blunt Rochester votes no.
5472 *The Clerk. Ms. Blunt Rochester votes no.
5473 Mr. Soto?
5474 *Mr. Soto. [Inaudible.]
5475 *The Clerk. Mr. Soto votes no.
5476 Mr. O'Halleran?
5477 *Mr. O'Halleran. O'Halleran votes no.
5478 *The Clerk. Mr. O'Halleran votes no.
5479 Miss Rice?
5480 *Miss Rice. Rice votes no.
5481 *The Clerk. Miss Rice votes no.
5482 Ms. Craig?
5483 [No response.]
5484 *The Clerk. Ms. Schrier?
5485 *Ms. Schrier. Schrier votes no.
5486 *The Clerk. Ms. Schrier votes no.
5487 Mrs. Trahan?
5488 [No response.]
5489 *The Clerk. Mrs. Fletcher?
5490 *Mrs. Fletcher. Fletcher votes no.
5491 *The Clerk. Mrs. Fletcher votes no.
5492 Mrs. Rodgers?

5493 [No response.]

5494 *The Clerk. Mr. Upton?

5495 *Mr. Upton. Upton votes aye.

5496 *The Clerk. Mr. Upton votes aye.

5497 Mr. Burgess?

5498 *Mr. Burgess. Burgess votes aye.

5499 *The Clerk. Mr. Burgess votes aye.

5500 Mr. Scalise?

5501 *Mr. Scalise. Scalise votes aye.

5502 *The Clerk. Mr. Scalise votes aye.

5503 Mr. Latta?

5504 *Mr. Latta. Aye.

5505 *The Clerk. Mr. Latta votes aye.

5506 Mr. Guthrie?

5507 *Mr. Guthrie. Aye.

5508 *The Clerk. Mr. Guthrie votes aye.

5509 Mr. McKinley?

5510 *Mr. McKinley. [Inaudible.]

5511 *The Clerk. Mr. McKinley votes aye.

5512 Mr. Kinzinger?

5513 [No response.]

5514 *The Clerk. Mr. Griffith?

5515 *Mr. Griffith. Aye.

5516 *The Clerk. Mr. Griffith votes aye.

5517 Mr. Bilirakis?

5518 *Mr. Bilirakis. [Inaudible.]
5519 *The Clerk. Mr. Bilirakis votes aye.
5520 Mr. Johnson?
5521 *Mr. Johnson. Aye.
5522 *The Clerk. Mr. Johnson votes aye.
5523 Mr. Long?
5524 *Mr. Long. Aye.
5525 *The Clerk. Mr. Long votes aye.
5526 Mr. Bucshon?
5527 *Mr. Bucshon. Bucshon votes aye.
5528 *The Clerk. Mr. Bucshon votes aye.
5529 Mr. Mullin?
5530 [No response.]
5531 *The Clerk. Mr. Hudson?
5532 *Mr. Hudson. Hudson votes no.
5533 *The Clerk. Mr. Hudson votes no.
5534 Mr. Walberg?
5535 *Mr. Walberg. Walberg votes aye.
5536 *The Clerk. Mr. Walberg votes aye.
5537 Mr. Carter?
5538 *Mr. Carter. Carter votes aye.
5539 *The Clerk. Mr. Carter votes aye.
5540 Mr. Duncan?
5541 *Mr. Duncan. Yes.
5542 *The Clerk. Mr. Duncan votes aye.

5543 Mr. Palmer?
5544 *Mr. Palmer. Yes.
5545 *The Clerk. Mr. Palmer votes aye.
5546 Mr. Dunn?
5547 *Mr. Dunn. Dunn votes aye.
5548 *The Clerk. Mr. Dunn votes aye.
5549 Mr. Curtis?
5550 *Mr. Curtis. Curtis votes aye.
5551 *The Clerk. Mr. Curtis votes aye.
5552 Mrs. Lesko?
5553 *Mrs. Lesko. Lesko votes aye.
5554 *The Clerk. Mrs. Lesko votes aye.
5555 Mr. Pence?
5556 *Mr. Pence. Pence votes aye.
5557 *The Clerk. Mr. Pence votes aye.
5558 Mr. Crenshaw?
5559 *Mr. Crenshaw. Crenshaw votes aye.
5560 *The Clerk. Mr. Crenshaw votes aye.
5561 Mr. Joyce?
5562 *Mr. Joyce. Joyce votes aye.
5563 *The Clerk. Mr. Joyce votes aye.
5564 Mr. Armstrong?
5565 *Mr. Armstrong. Yes.
5566 *The Clerk. Mr. Armstrong votes aye.
5567 Chairman Pallone?

5568 *The Chairman. Pallone votes no.

5569 *The Clerk. Chairman Pallone votes no.

5570 *Ms. Matsui. Mr. Chairman?

5571 *The Chairman. Mrs. Rodgers?

5572 *The Clerk. Mrs. Rodgers is not recorded.

5573 *Mrs. Rodgers. Mrs. Rodgers votes aye.

5574 *The Clerk. Mrs. Rodgers votes aye.

5575 *The Chairman. Anyone else?

5576 *Ms. Matsui. Mr. Chairman, Matsui votes no.

5577 *Ms. Craig. Madam Clerk, this is Congresswoman Craig.

5578 How am I recorded?

5579 *The Chairman. The first one was Ms. Matsui. She voted

5580 no.

5581 *The Clerk. Ms. Matsui votes no.

5582 *The Chairman. And now we have Congresswoman Craig.

5583 *The Clerk. Congresswoman Craig is not recorded.

5584 *Ms. Craig. Craig from Minnesota --

5585 *The Chairman. Ms. Craig?

5586 *Ms. Craig. Craig from Minnesota votes no.

5587 *The Clerk. Ms. Craig --

5588 *Mr. McNerney. Mr. Chairman?

5589 *The Clerk. -- votes no.

5590 *Mr. McNerney. Mr. Chairman? Mr. McNerney of

5591 California votes no.

5592 *The Clerk. Mr. McNerney votes no.

5593 *The Chairman. Anyone else who is not recorded,
5594 virtually or otherwise? Not expecting anyone else?

5595 All right, the clerk -- oh, no. The clerk will report
5596 the tally.

5597 *The Clerk. On that vote, Mr. Chairman, the yeas were
5598 24, and the nays were 31.

5599 *The Chairman. Thirty-one noes?

5600 *The Clerk. Yes, sir.

5601 *The Chairman. So the vote on the Crenshaw amendment is
5602 24 ayes to 31 noes, and the amendment is not agreed to.

5603 Further amendments?

5604 Mr. Bilirakis has an amendment.

5605 *Mr. Bilirakis. Yes, Mr. Chairman, I have an amendment
5606 at the desk, number 17.

5607 *The Clerk. Seventeen?

5608 *The Chairman. Yes, number 17.

5609 *The Clerk. Yes, sir. I have it.

5610 *Mr. Bilirakis. Thank you.

5611 *The Chairman. You have it?

5612 *The Clerk. Amendment to H.R. 2467, offered by Mr.
5613 Bilirakis of Florida. In section 2 --

5614 *The Chairman. Without objection, the reading of the
5615 Bilirakis amendment will be dispensed with.

5616

5617

5618 [The amendment of Mr. Bilirakis follows:]

5619

5620 *****COMMITTEE INSERT*****

5621

5622 *The Chairman. And the gentleman from Florida is
5623 recognized for five minutes.

5624 *Mr. Bilirakis. Thank you, Mr. Chairman. I appreciate
5625 it very much.

5626 Mr. Chairman, this legislative package and -- is an
5627 indiscriminate ban on PFAS, regardless of individual risk
5628 levels, and a flat-out ban on using any of the 9,200 existing
5629 PFAS. In my opinion, this is irresponsible.

5630 First, the legislation deems certain PFAS as CERCLA
5631 hazardous substances and Clean Air Act hazardous air
5632 pollutants, creating permanent endless cleanup liability. If
5633 you want to avoid this liability, your disposal options are
5634 limited by the bill. This will require your material to be
5635 landfilled, with the hope that CERCLA's strict joint and
5636 several -- and retroactive liability will not eventually come
5637 into play.

5638 If your PFAS-containing product is on the market, the
5639 bill creates a Federal labeling program in an attempt to
5640 hinder the product's sales.

5641 If that is not enough, the bill stops you from making a
5642 safer version of an existing PFAS for five years, and
5643 restricts your product through regulation if you do.

5644 My amendment seeks to bring some sanity to the bill, in
5645 my opinion. Of the 9,200 PFAS listed on EPA's website, EPA
5646 doesn't know how harmful the vast majority of those PFAS are,

5647 as was stated earlier. Rather than destroy all the pieces
5648 where specific PFAS has not been found to be dangerous, my
5649 amendment provides important protections from the regulatory
5650 overreach in this bill for remaining critical uses of PFAS,
5651 and safer PFAS to continue within the semiconductor industry.

5652 Fluoropolymers, considered to be PFAS under this
5653 legislation, enable the instant connectivity of billions of
5654 people through mobile devices. They are critical components
5655 in the manufacturing and performance of the wires and circuit
5656 boards found in cell phones, laptops, tablets, and other
5657 devices.

5658 Additionally, fluoropolymers are critical to the
5659 semiconductor manufacturing process. They allow
5660 semiconductor manufacturing equipment to withstand aggressive
5661 temperature, pressure, and produce high purity and low --
5662 products. Fluoromers also play a critical role in the
5663 development of smaller, ever more powerful electronic
5664 devices. They also provide other benefits, such as improved
5665 fire safety and higher transmission speeds. The ability of
5666 fluoromers to withstand challenging operating conditions and
5667 present negligible electrical resistance make them vital to
5668 the reliability of wires and transmission cables.

5669 These performance benefits enable a wide range of
5670 information and communications technology, including 5G, and
5671 bring benefits to many consumer, industrial, automotive, and

5672 medical products. This is all without getting into the
5673 scarcity and supply chain problems we continue to experience
5674 for semiconductors since the beginning of the pandemic, which
5675 would get worse if my amendment is not adopted.

5676 The current Administration even issued an executive
5677 order on supply chain management, and identified
5678 semiconductor manufacturing as a critical component of supply
5679 chain management. A vote for my amendment is a vote for
5680 science before regulation, and in support of the
5681 Administration's stated goals with regard to supply chains
5682 and, you know, basically, defining them as critical pieces in
5683 the supply chain.

5684 It also is a vote for American competitiveness, and a
5685 desire to win the fight against China for continued
5686 technological leadership, so I urge passage of this
5687 particular amendment. It is responsible, Mr. Chairman. And
5688 in my opinion, this bill is not a responsible bill.

5689 And I will yield back the balance of my time.

5690 *The Chairman. I thank the gentleman.

5691 There is still about 12 minutes left on the first vote,
5692 and we have three or four votes. And I know that they have
5693 been cutting these votes off pretty quickly, so I think we
5694 are just going to recess. And we will come back, what, 10
5695 minutes after the --

5696 *Voice. The last vote is called.

5697 *The Chairman. Ten minutes after the last vote is
5698 called, because I don't want any of you to miss the vote. So
5699 we will recess until 10 minutes after the last vote is
5700 called.

5701 The committee stands in recess.

5702 [Recess.]

5703 *The Chairman. The committee will come to order.

5704 We left off with Mr. Bilirakis amendment to the PFAS
5705 bill, and that is now in order. He spoke on the underlying
5706 bill, so we would go to a Democrat, and Mrs. Dingell is
5707 recognized for five minutes.

5708 *Mrs. Dingell. I move to strike the last word to
5709 speak --

5710 *The Chairman. The gentlewoman is recognized.

5711 *Mrs. Dingell. -- in opposition to the amendment.

5712 With great respect for my colleagues, this amendment
5713 would create unnecessary exemptions for PFAS related to the
5714 manufacture of semiconductors under Superfund section 5 of
5715 TSCA, and unsafe incineration requirements under RCRA.

5716 Many manufacturers deal with hazardous substances listed
5717 under Superfund every day. Superfund liability is an
5718 important deterrent that incentivizes parties to handle these
5719 materials responsibly, and take care to avoid releases. If
5720 parties do not cause a release of pollution, they will not
5721 have a problem. And if they do cause a release, they should

5722 be liable to clean it up.

5723 This amendment also provides an exemption from section 9
5724 of the bill, which prohibits the unsafe incineration of PFAS.
5725 We should not tolerate unsafe disposal and unsafe
5726 incineration of PFAS under any circumstances, regardless of
5727 whether those PFAS were related to semiconductors.

5728 And believe me, I want to make it really clear, I know
5729 how important the production of semiconductors are. My
5730 industry is still suffering from -- are not building them
5731 here. We have all got to work together to do that here, too.

5732 But if we really want to address the threat of PFAS
5733 exposure, we need to make sure strong protections are in
5734 place. This amendment would create loopholes which will
5735 ultimately remove incentives for the safe handling and
5736 disposal of PFAS.

5737 I urge my colleagues to oppose this amendment, and to
5738 support the overall bill. I yield back.

5739 *The Chairman. I thank the gentlewoman.

5740 Does anyone else want to speak on the Bilirakis
5741 amendment? Anybody virtually?

5742 Okay, we will move -- all right, we are going to vote.
5743 We will proceed to a vote on the Bilirakis amendment.

5744 All those in favor of the amendment will signify by
5745 saying aye.

5746 All those opposed will say no.

5747 In the opinion of the chair, the noes have it.
5748 Did you ask for --
5749 *Mrs. Rodgers. Yes.
5750 *The Chairman. He did? Okay, a recorded vote?
5751 A recorded vote is ordered. Those in favor of the
5752 Bilirakis amendment will vote aye; those opposed will vote
5753 no. The clerk shall call the roll.
5754 *The Clerk. Mr. Rush?
5755 *Mr. Rush. Rush votes no.
5756 *The Clerk. Mr. Rush votes no.
5757 Ms. Eshoo?
5758 [Pause.]
5759 *Voice. She is not -- she is muted, Ms. Eshoo.
5760 *The Clerk. Ms. DeGette?
5761 *Ms. Eshoo. Eshoo of California votes no.
5762 *The Clerk. Ms. Eshoo votes no.
5763 Ms. DeGette?
5764 *Ms. DeGette. No.
5765 *The Clerk. Ms. DeGette votes no.
5766 Mr. Doyle?
5767 *Mr. Doyle. [Inaudible.]
5768 *The Clerk. Mr. Doyle votes no.
5769 Ms. Schakowsky?
5770 *Ms. Schakowsky. [Inaudible.]
5771 *The Clerk. Ms. Schakowsky votes no.

5772 Mr. Butterfield?

5773 [No response.]

5774 *The Clerk. Ms. Matsui?

5775 *Ms. Matsui. Matsui votes no.

5776 *The Clerk. Ms. Matsui votes no.

5777 Ms. Castor?

5778 *Ms. Castor. [Inaudible.]

5779 *The Clerk. Ms. Castor votes no.

5780 Mr. Sarbanes?

5781 *Mr. Sarbanes. Sarbanes votes no.

5782 *The Clerk. Mr. Sarbanes votes no.

5783 Mr. McNerney?

5784 *Mr. McNerney. [Inaudible.]

5785 *The Clerk. Mr. McNerney votes no.

5786 Mr. Welch?

5787 [No response.]

5788 *The Clerk. Mr. Tonko?

5789 *Mr. Tonko. Tonko votes no.

5790 *The Clerk. Mr. Tonko votes no.

5791 Ms. Clarke?

5792 *Ms. Clarke. Ms. Clarke of New York votes no.

5793 *The Clerk. Ms. Clarke votes no.

5794 Mr. Schrader?

5795 *Mr. Schrader. Schrader votes yes.

5796 *The Clerk. Mr. Schrader votes yes.

5797 Mr. Cardenas?
5798 [No response.]
5799 *The Clerk. Mr. Ruiz?
5800 [No response.]
5801 *The Clerk. Mr. Peters?
5802 [No response.]
5803 *The Clerk. Mrs. Dingell?
5804 *Mrs. Dingell. [Inaudible.]
5805 *The Clerk. Mrs. Dingell votes no.
5806 Mr. Veasey?
5807 *Mr. Veasey. [Inaudible.]
5808 *The Clerk. Mr. Veasey votes no.
5809 Ms. Kuster?
5810 [No response.]
5811 *The Clerk. Ms. Kelly?
5812 *Ms. Kelly. Kelly votes no.
5813 *The Clerk. Ms. Kelly votes no.
5814 Ms. Barragan?
5815 *Ms. Barragan. Barragan votes no.
5816 *The Clerk. Ms. Barragan votes no.
5817 Mr. McEachin?
5818 [No response.]
5819 *The Clerk. Ms. Blunt Rochester?
5820 *Ms. Blunt Rochester. Ms. Blunt Rochester of Delaware
5821 votes no.

5822 *The Clerk. Ms. Blunt Rochester votes no.
5823 Mr. Soto?
5824 *Mr. Soto. Soto votes no.
5825 *The Clerk. Mr. Soto votes no.
5826 Mr. O'Halleran?
5827 [No response.]
5828 *The Clerk. Miss Rice?
5829 [No response.]
5830 *The Clerk. Ms. Craig?
5831 [No response.]
5832 *The Clerk. Ms. Schrier?
5833 *Ms. Schrier. Schrier votes no.
5834 *The Clerk. Ms. Schrier votes no.
5835 Mrs. Trahan?
5836 *Mrs. Trahan. Trahan votes no.
5837 *The Clerk. Mrs. Trahan votes no.
5838 Mrs. Fletcher?
5839 *Mrs. Fletcher. Fletcher votes no.
5840 *The Clerk. Mrs. Fletcher votes no.
5841 Mrs. Rodgers?
5842 *Mrs. Rodgers. [Inaudible.]
5843 *The Clerk. Mrs. Rodgers votes aye.
5844 Mr. Upton?
5845 *Mr. Upton. Votes aye.
5846 *The Clerk. Mr. Upton votes aye.

5847 Mr. Burgess?

5848 [No response.]

5849 *The Clerk. Mr. Scalise?

5850 *Mr. Scalise. Scalise votes aye.

5851 *The Clerk. Mr. Scalise votes aye.

5852 Mr. Latta?

5853 *Mr. Latta. [Inaudible.]

5854 *The Clerk. Mr. Latta votes aye.

5855 Mr. Guthrie?

5856 *Mr. Guthrie. Aye.

5857 *The Clerk. Mr. Guthrie votes aye.

5858 Mr. McKinley?

5859 *Mr. McKinley. Aye.

5860 *The Clerk. Mr. McKinley votes aye.

5861 Mr. Kinzinger?

5862 *Mr. Kinzinger. Kinzinger, aye.

5863 *The Clerk. Mr. Kinzinger votes aye.

5864 Mr. Griffith?

5865 *Mr. Griffith. [Inaudible.]

5866 *The Clerk. Mr. Griffith votes aye.

5867 Mr. Bilirakis?

5868 *Mr. Bilirakis. Bilirakis votes aye.

5869 *The Clerk. Mr. Bilirakis votes aye.

5870 Mr. Johnson?

5871 *Mr. Johnson. Johnson votes aye.

5872 *The Clerk. Mr. Johnson votes aye.
5873 Mr. Long?
5874 *Mr. Long. Long votes aye.
5875 *The Clerk. Mr. Long votes aye.
5876 Mr. Bucshon?
5877 *Mr. Bucshon. Bucshon votes aye.
5878 *The Clerk. Mr. Bucshon votes aye.
5879 Mr. Mullin?
5880 [No response.]
5881 *The Clerk. Mr. Hudson?
5882 [No response.]
5883 *The Clerk. Mr. Walberg?
5884 *Mr. Walberg. Walberg votes aye.
5885 *The Clerk. Mr. Walberg votes aye.
5886 Mr. Carter?
5887 *Mr. Carter. Carter votes aye.
5888 *The Clerk. Mr. Carter votes aye.
5889 Mr. Duncan?
5890 [No response.]
5891 *The Clerk. Mr. Palmer?
5892 *Mr. Palmer. Palmer votes aye.
5893 *The Clerk. Mr. Palmer votes aye.
5894 Mr. Dunn?
5895 *Mr. Dunn. Mr. Dunn votes aye.
5896 *The Clerk. Mr. Dunn votes aye.

5897 Mr. Curtis?

5898 *Mr. Curtis. Curtis votes aye.

5899 *The Clerk. Mr. Curtis votes aye.

5900 Mrs. Lesko?

5901 *Mrs. Lesko. Lesko votes aye.

5902 *The Clerk. Mrs. Lesko votes aye.

5903 Mr. Pence?

5904 *Mr. Pence. Pence votes aye.

5905 *The Clerk. Mr. Pence votes aye.

5906 Mr. Crenshaw?

5907 *Mr. Crenshaw. Crenshaw votes aye.

5908 *The Clerk. Mr. Crenshaw votes aye.

5909 Mr. Joyce?

5910 *Mr. Joyce. Joyce votes aye.

5911 *The Clerk. Mr. Joyce votes aye.

5912 Mr. Armstrong?

5913 *Mr. Armstrong. Yes.

5914 *The Clerk. Mr. Armstrong votes aye.

5915 Chairman Pallone?

5916 *The Chairman. Pallone votes no.

5917 *The Clerk. Chairman Pallone votes no.

5918 *Mr. Butterfield. Mr. Chairman? Mr. Chairman?

5919 *The Chairman. Is that Mr. --

5920 *Mr. Butterfield. G.K. Butterfield. Butterfield.

5921 *The Chairman. Yes?

5922 *Mr. Butterfield. How am I recorded?
5923 *The Chairman. Not recorded.
5924 *Mr. Butterfield. Mr. Chairman, Butterfield votes no.
5925 *Mr. Welch. Mr. Chairman? Mr. Chairman?
5926 *The Clerk. Mr. Butterfield votes no.
5927 *The Chairman. Yes.
5928 *Mr. Ruiz. How does Ruiz from California vote?
5929 *The Chairman. Dr. Ruiz, you are not recorded.
5930 *Mr. Ruiz. I vote no.
5931 *The Chairman. You vote no? Okay.
5932 *Mr. Ruiz. Yes, correct, I vote no.
5933 *The Clerk. Mr. Ruiz votes no.
5934 *Mr. Welch. Mr. Chairman, this is Congressman Welch.
5935 How am I recorded?
5936 *The Clerk. Mr. Welch is not recorded.
5937 *The Chairman. Not recorded.
5938 *Mr. Welch. I vote no.
5939 *Mr. Peters. Mr. Chairman?
5940 *The Chairman. Yes?
5941 *The Clerk. Mr. Welch votes no.
5942 *Mr. Peters. Peters votes no.
5943 *The Chairman. Peters votes no.
5944 Mr. Hudson?
5945 *The Clerk. Mr. Peters votes no.
5946 *The Chairman. How do you vote?

5947 *Ms. Kuster. Mr. Chairman?

5948 *The Chairman. Hudson votes yes. Oh, votes no, I am
5949 sorry.

5950 *The Clerk. Mr. Hudson votes no.

5951 *Ms. Kuster. Mr. Chairman?

5952 *Voice. Ms. Kuster.

5953 *The Chairman. Yes, Kuster.

5954 *Ms. Kuster. Ms. Kuster votes no.

5955 *Miss Rice. Mr. Chairman?

5956 *The Clerk. Ms. Kuster votes no.

5957 *Miss Rice. Mr. Chairman, Rice votes no.

5958 *The Clerk. Miss Rice votes no.

5959 *The Chairman. Is there anyone else who is not
5960 recorded?

5961 *Ms. Craig. Yes, this is Angie Craig. How am I
5962 recorded, please?

5963 *The Clerk. Ms. Craig is not recorded.

5964 *Ms. Craig. Hang on.

5965 [Laughter.]

5966 *Ms. Craig. Ms. Craig votes no on the amendment.

5967 *The Clerk. Ms. Craig votes no.

5968 *The Chairman. Anyone else who wants to be recorded, or
5969 wants to change their vote?

5970 All right, the clerk will report the tally, and this is
5971 the Bilirakis amendment.

5972 *The Clerk. On that vote, Mr. Chairman, the yeas were
5973 23, and the nays were 29.

5974 *The Chairman. How many for the -- 29?

5975 *The Clerk. Twenty-nine nays.

5976 *The Chairman. Okay, 23-29. The vote on the Bilirakis
5977 amendment is 23 ayes to 29 noes, and the amendment is not
5978 agreed to.

5979 Do we have further amendments?

5980 *Mr. Armstrong. Mr. Chairman --

5981 *The Chairman. Yes, Mr. Armstrong?

5982 *Mr. Armstrong. I have an amendment at the desk, number
5983 11.

5984 *The Chairman. Do you have that one?

5985 *The Clerk. I do.

5986 *The Chairman. The clerk will report the amendment.

5987 *The Clerk. Amendment to H.R. 2467, offered by Mr.
5988 Armstrong of North Dakota. In section 2.1, re-designate
5989 subsections D and E as --

5990 *The Chairman. Without objection, the reading of the
5991 Armstrong amendment will be dispensed with.

5992 [The amendment of Mr. Armstrong follows:]

5993

5994 *****COMMITTEE INSERT*****

5995

5996 *The Chairman. And the gentleman is recognized for five
5997 minutes.

5998 *Mr. Armstrong. Mr. Chairman, we agree that PFAS risks
5999 should be addressed in a scientific and objective manner.
6000 However, this bill does not do that. It imposes a de facto
6001 ban on a massive class of substances that are critical to our
6002 health and welfare, while also threatening new liability for
6003 developing industries.

6004 This bill deems certain PFAS and CERCLA hazardous
6005 substances as Clean Air Act hazardous pollutants, creating
6006 permanent endless cleanup liability for manufacturers. Among
6007 the substances that are caught up in this bill's web are a
6008 group of polymers used in high heat and electrical
6009 applications. These compounds are essential for the
6010 performance of solar panels and wind turbines. This
6011 amendment simply adds the manufacture of solar PV and wind
6012 turbine components to the bill's exemptions, which would
6013 eliminate the threat of current and future CERCLA liability.

6014 I have heard my Democratic colleagues repeatedly over
6015 the last two years argue that we need to dramatically
6016 increase generation from wind and solar. Yet this bill would
6017 undermine those stated goals. At least it will undermine the
6018 domestic production of wind turbines and solar panels.
6019 Certain policies pushed by this Administration and this
6020 committee are -- will actively destroy the nation's oil and

6021 gas and coal communities.

6022 At the same time, the majority is moving forward with a
6023 ban that will effectively undermine domestic wind and solar
6024 suppliers that rely on classes of PFAS chemicals, including
6025 wind and solar. These overly-broad, unscientific actions by
6026 this committee continue to put domestic energy production at
6027 risk.

6028 And then I would just end with -- I will throw out today
6029 a number of my Democratic colleagues have argued during
6030 debate on these amendments that people don't have to worry
6031 about Superfund liability if they don't cause any
6032 environmental harm. This argument is not accurate.
6033 Superfund liability, as lawyers call it, is strict. That is,
6034 a party doesn't have to have done anything wrong, or even
6035 accidental. If they have involvement somehow, they are
6036 liable, period. End of story. The strict liability is what
6037 causes our concern, and why we think we have to pass these
6038 amendments.

6039 And with that I will yield back.

6040 *The Chairman. I thank the gentleman.

6041 Does anyone want to speak -- oh, the gentlewoman from
6042 Florida, Ms. Castor, is recognized for five minutes.

6043 *Ms. Castor. Thank you, to speak in opposition to the
6044 amendment.

6045 But first I would really like to thank our colleagues,

6046 Congresswoman Debbie Dingell and Congressman Fred Upton, for
6047 coming together in a bipartisan way to address
6048 polyfluoroalkyl substances, PFAS, because these are man-made
6049 chemicals. These are synthetic chemicals now, that have been
6050 in our environment, in our bodies now, since the 1940s.

6051 They -- you will hear them described as persistent,
6052 because that means they don't break down. They remain in the
6053 environment and in people's bodies over time, and they
6054 accumulate. And the health studies indicate that there are
6055 very serious consequences: low birth weight in babies,
6056 cancer-causing chemicals, they affect the immune system.

6057 They are produced internationally. We have -- a lot of
6058 our manufacturers have ceased doing this, but a lot of these
6059 products are still imported into the United States. A lot of
6060 consumer goods, food packaging, nonstick cooking surfaces.
6061 Fire-fighting foam is one of the big, big issues, and that is
6062 why it is a particular issue for our military bases. Many of
6063 our service members are dealing with the impacts, the health
6064 impacts, of PFAS, even in one base in the State of Florida,
6065 on the East Coast, Patrick Air Force Base, very significant
6066 problems with pollution and PFAS and the health impacts.

6067 So, Mrs. Dingell, Mr. Upton, thank you very much for
6068 bringing this legislation.

6069 There -- I know a number of amendments have been offered
6070 by our colleagues on the other side for liability exemptions.

6071 There -- this is really a non-sequitur, because you don't --
6072 there -- when a chemical is listed under CERCLA, that doesn't
6073 mean that they are not manufactured, often times.

6074 And there has also been a non-sequitur offered during
6075 debate. This bill does not ban -- it doesn't ban PFAS. But
6076 what it does, in a very reasonable way, it -- this bill
6077 directs the EPA to review PFAS over the next five years to
6078 test these chemicals, to make sure that we have appropriate
6079 drinking water standards. It is vitally important that the
6080 drinking water for our communities back home is safe. So
6081 that is pretty darn reasonable, I think, that we are testing
6082 the drinking water for these chemicals, especially now that
6083 we know that they persist in your body, they accumulate, they
6084 continue to accumulate in the environment.

6085 So many of these manufacturers, they deal with hazardous
6086 substances listed under Superfund every day. Superfund
6087 liability is an important deterrent that incentivizes parties
6088 to handle these materials responsibly, and take care to avoid
6089 releases. If the parties do not cause a release of
6090 pollution, they will not have a problem. And if they do
6091 cause a release, then they should be liable to clean it up,
6092 bottom line.

6093 So this amendment provides another exemption that -- to
6094 section 9 of the bill, which prohibits the unsafe
6095 incineration of PFAS. We should not tolerate the unsafe

6096 disposal and unsafe incineration of PFAS under any
6097 circumstance, regardless of whether those PFAS were related
6098 to solar panels or wind turbines.

6099 So if you really want to address the threat of PFAS
6100 exposure, we need to make sure that we have the strongest
6101 protections in place. But this amendment would create
6102 loopholes, which will ultimately remove incentives for the
6103 safe handling and disposal of these chemicals. So I urge my
6104 colleagues to oppose the amendment, and I support this bill
6105 strongly.

6106 Thank you, and I yield back.

6107 *The Chairman. I thank the gentlewoman from Florida.
6108 Does anyone -- we are on the Armstrong amendment. Yes?

6109 *Mr. Latta. Mr. Chairman?

6110 *The Chairman. Mr. Latta?

6111 *Mr. Latta. I move to strike the last --

6112 *The Chairman. You are recognized for five minutes.

6113 *Mr. Latta. Thank you, Mr. Chairman. I support the
6114 amendment from my friend, the gentleman from North Dakota,
6115 which will protect domestic solar panel manufacturers from
6116 the negative consequences of the underlying bill.

6117 My district in northwest Ohio is home to First Solar,
6118 which is America's largest solar technology company, and the
6119 largest solar manufacturer in the Western Hemisphere. I am
6120 concerned that legislation like H.R. 2467 would unnecessarily

6121 handicap their operations, while their competitors in China
6122 continue to operate using forced labor and inadequate
6123 environmental protections.

6124 Recently, First Solar announced a \$680 million expansion
6125 in their manufacturing facility that will add over 500 more
6126 jobs. We should be supporting domestic manufacturers like
6127 First Solar as they compete against China, and not burdening
6128 them with more regulatory costs and red tape.

6129 I call on my colleagues to support Mr. Armstrong's
6130 amendment, and I yield back the balance of my time.

6131 Thank you, Mr. Chairman.

6132 *The Chairman. Anyone else on the Armstrong amendment?
6133 Anybody virtually?

6134 All right, we proceed to a vote.

6135 *Mr. Armstrong. Mr. Chairman, I request a roll call
6136 vote.

6137 *The Chairman. A recorded vote? Okay. A recorded vote
6138 is ordered on the Armstrong amendment. Those in favor of the
6139 amendment will say aye, those opposed will say no, and the
6140 clerk shall call the roll.

6141 *The Clerk. Mr. Rush?

6142 *Mr. Rush. Rush of Illinois votes no.

6143 *The Chairman. Mr. Rush votes no.

6144 Ms. Eshoo?

6145 [No response.]

6146 *The Clerk. Ms. DeGette?
6147 *Ms. DeGette. No.
6148 *The Clerk. Ms. DeGette votes no.
6149 Mr. Doyle?
6150 *Mr. Doyle. No.
6151 *The Clerk. Mr. Doyle votes no.
6152 Ms. Schakowsky?
6153 *Ms. Schakowsky. [Inaudible.]
6154 *The Clerk. Ms. Schakowsky votes no.
6155 Mr. Butterfield?
6156 [No response.]
6157 *The Clerk. Ms. Matsui?
6158 *Ms. Matsui. Matsui votes no.
6159 *The Clerk. Ms. Matsui votes no.
6160 Ms. Castor?
6161 *Ms. Castor. [Inaudible.]
6162 *The Clerk. Ms. Castor votes no.
6163 Mr. Sarbanes?
6164 *Mr. Sarbanes. Sarbanes votes no.
6165 *The Clerk. Mr. Sarbanes votes no.
6166 Mr. McNerney?
6167 *Mr. McNerney. No.
6168 *The Clerk. Mr. McNerney votes no.
6169 Mr. Welch?
6170 [No response.]

6171 *The Clerk. Mr. Tonko?
6172 *Mr. Tonko. Tonko votes no.
6173 *The Clerk. Mr. Tonko votes no.
6174 Ms. Clarke?
6175 *Ms. Clarke. Ms. Clarke of New York votes no.
6176 *The Clerk. Ms. Clarke votes no.
6177 Mr. Schrader?
6178 *Mr. Schrader. Schrader votes no.
6179 *The Clerk. Mr. Schrader votes no.
6180 Mr. Cardenas?
6181 *Mr. Cardenas. Cardenas of California votes no.
6182 *The Clerk. Mr. Cardenas votes no.
6183 Mr. Ruiz?
6184 *Mr. Ruiz. Ruiz from California votes no.
6185 *The Clerk. Mr. Ruiz votes no.
6186 Mr. Peters?
6187 [No response.]
6188 *The Clerk. Mrs. Dingell?
6189 *Mrs. Dingell. [Inaudible.]
6190 *The Clerk. Mrs. Dingell votes no.
6191 Mr. Veasey?
6192 *Mr. Veasey. [Inaudible.]
6193 *The Clerk. Mr. Veasey votes no.
6194 Ms. Kuster?
6195 *Ms. Kuster. Kuster votes no.

6196 *The Clerk. Ms. Kuster votes no.
6197 Ms. Kelly?
6198 *Ms. Kelly. Kelly votes no.
6199 *The Clerk. Ms. Kelly votes no.
6200 Ms. Barragan?
6201 *Ms. Barragan. Barragan votes no.
6202 *The Clerk. Ms. Barragan votes no.
6203 Mr. McEachin?
6204 *Mr. McEachin. No.
6205 *The Clerk. Mr. McEachin votes no.
6206 Ms. Blunt Rochester?
6207 *Ms. Blunt Rochester. Blunt Rochester votes no.
6208 *The Clerk. Ms. Blunt Rochester votes no.
6209 Mr. Soto?
6210 *Mr. Soto. [Inaudible.]
6211 *The Clerk. Mr. Soto votes no.
6212 Mr. O'Halleran?
6213 [No response.]
6214 *The Clerk. Miss Rice?
6215 *Miss Rice. Rice votes no.
6216 *The Clerk. Miss Rice votes no.
6217 Ms. Craig?
6218 *Ms. Craig. Craig of Minnesota votes no.
6219 *The Clerk. Ms. Craig votes no.
6220 Ms. Schrier?

6221 [No response.]

6222 *The Clerk. Mrs. Trahan?

6223 *Mrs. Trahan. Trahan votes no.

6224 *The Clerk. Mrs. Trahan votes no.

6225 Mrs. Fletcher?

6226 [No response.]

6227 *The Clerk. Mrs. Rodgers?

6228 *Mrs. Rodgers. [Inaudible.]

6229 *The Clerk. Mrs. Rodgers votes aye.

6230 Mr. Upton?

6231 [No response.]

6232 *The Clerk. Mr. Burgess?

6233 [No response.]

6234 *The Clerk. Mr. Scalise?

6235 [No response.]

6236 *The Clerk. Mr. Latta?

6237 *Mr. Latta. [Inaudible.]

6238 *The Clerk. Mr. Latta votes aye.

6239 Mr. Guthrie?

6240 *Mr. Guthrie. [Inaudible.]

6241 *The Clerk. Mr. Guthrie votes aye.

6242 Mr. McKinley?

6243 *Mr. McKinley. Votes aye.

6244 *The Clerk. Mr. McKinley votes aye.

6245 Mr. Kinzinger?

6246 [No response.]

6247 *The Clerk. Mr. Griffith?

6248 *Mr. Griffith. Aye.

6249 *The Clerk. Mr. Griffith votes aye.

6250 Mr. Bilirakis?

6251 *Mr. Bilirakis. Bilirakis votes aye.

6252 *The Clerk. Mr. Bilirakis votes aye.

6253 Mr. Johnson?

6254 *Mr. Johnson. Johnson votes aye.

6255 *The Clerk. Mr. Johnson votes aye.

6256 Mr. Long?

6257 *Mr. Long. Aye.

6258 *The Clerk. Mr. Long votes aye.

6259 Mr. Bucshon?

6260 *Mr. Bucshon. Bucshon votes aye.

6261 *The Clerk. Mr. Bucshon votes aye.

6262 Mr. Mullin?

6263 *Mr. Mullin. Mullin votes aye.

6264 *The Clerk. Mr. Mullin votes aye.

6265 Mr. Hudson?

6266 *Mr. Hudson. No.

6267 *The Clerk. Mr. Hudson votes no.

6268 Mr. Walberg?

6269 *Mr. Walberg. Walberg votes aye.

6270 *The Clerk. Mr. Walberg votes aye.

6271 Mr. Carter?
6272 *Mr. Carter. Carter votes aye.
6273 *The Clerk. Mr. Carter votes aye.
6274 Mr. Duncan?
6275 *Mr. Duncan. Mr. Duncan votes aye.
6276 *The Clerk. Mr. Duncan votes aye.
6277 Mr. Palmer?
6278 *Mr. Palmer. Palmer votes aye.
6279 *The Clerk. Mr. Palmer votes aye.
6280 Mr. Dunn?
6281 *Mr. Dunn. Dunn votes aye.
6282 *The Clerk. Mr. Dunn votes aye.
6283 Mr. Curtis?
6284 *Mr. Curtis. Curtis votes aye.
6285 *The Clerk. Mr. Curtis votes aye.
6286 Mrs. Lesko?
6287 *Mrs. Lesko. Lesko votes aye.
6288 *The Clerk. Mrs. Lesko votes aye.
6289 Mr. Pence?
6290 *Mr. Pence. Pence votes aye.
6291 *The Clerk. Mr. Pence votes aye.
6292 Mr. Crenshaw?
6293 *Mr. Crenshaw. Crenshaw votes aye.
6294 *The Clerk. Mr. Crenshaw votes aye.
6295 Mr. Joyce?

6296 *Mr. Joyce. Joyce votes aye.
6297 *The Clerk. Mr. Joyce votes aye.
6298 Mr. Armstrong?
6299 *Mr. Armstrong. Yes.
6300 *The Clerk. Mr. Armstrong votes aye.
6301 Chairman Pallone?
6302 *The Chairman. Votes no.
6303 *The Clerk. Chairman Pallone votes no.
6304 *Mr. Welch. Mr. Chairman, how am I recorded? Peter
6305 Welch.
6306 *The Chairman. Mr. Welch?
6307 *The Clerk. Mr. Welch is not recorded.
6308 *Mr. Welch. Mr. Welch votes no.
6309 *The Clerk. Mr. Welch votes no.
6310 *Mrs. Fletcher. Mr. Chairman --
6311 *Mr. Butterfield. Mr. Chairman, how am I recorded?
6312 Butterfield.
6313 *The Chairman. Mr. Butterfield.
6314 *The Clerk. Mr. Butterfield is not recorded.
6315 *Mr. Butterfield. Butterfield votes no.
6316 *Mrs. Fletcher. Mr. Chairman?
6317 *The Clerk. Mr. Butterfield votes no.
6318 *The Chairman. Yes?
6319 *Mrs. Fletcher. Mr. Chairman, how am I recorded? This
6320 is Mrs. Fletcher.

6321 *The Chairman. Mrs. Fletcher?

6322 *The Clerk. Mrs. Fletcher is not recorded.

6323 *Mrs. Fletcher. Fletcher votes no.

6324 *The Clerk. Mrs. Fletcher --

6325 *Ms. Schrier. And Mr. --

6326 *The Clerk. -- votes no.

6327 *Ms. Schrier. And Mr. Chairman, how am I recorded?

6328 This is Kim Schrier.

6329 *The Clerk. Ms. Schrier is not recorded.

6330 *Ms. Schrier. Schrier votes no.

6331 *Mr. Peters. Mr. Chairman?

6332 *The Clerk. Ms. Schrier votes no.

6333 *The Chairman. Yes?

6334 *Mr. Peters. Mr. Chairman, Peters votes no.

6335 *The Clerk. Mr. Peters votes no.

6336 *Mr. Kinzinger. Mr. Chairman, Kinzinger votes aye.

6337 *Voice. He did?

6338 *The Clerk. Mr. Kinzinger votes aye.

6339 *Mr. Scalise. Mr. Chairman, Scalise votes aye.

6340 *The Clerk. Mr. Scalise votes aye.

6341 *The Chairman. Is there anyone else who hasn't voted

6342 that wants to?

6343 *Mr. Sarbanes. Mr. Chairman, can I just check that I am

6344 recorded? Sarbanes.

6345 *The Chairman. Is Mr. Sarbanes reported -- recorded?

6346

AFTER 6:00 P.M.

6347

*The Clerk. Mr. Sarbanes voted no.

6348

*Mr. Sarbanes. Thank you.

6349

*The Chairman. I mean you voted no.

6350

I think that is it, unless there is anyone else.

6351

All right, the clerk will call the tally on the

6352

Armstrong amendment.

6353

*The Clerk. On that vote, Mr. Chairman, the yeas were

6354

23, and the nays were 31.

6355

*The Chairman. All right, so the vote on the Armstrong

6356

amendment is 23 ayes to 31 noes; the amendment is not agreed

6357

to.

6358

Are there further amendments?

6359

*Mr. Johnson. Mr. Chairman?

6360

*The Chairman. Yes.

6361

*Mr. Johnson. Mr. Chairman, I have an amendment at the

6362

desk. It is number 13.

6363

*The Chairman. Oh, Mr. Johnson, okay.

6364

Do you have Mr. Johnson's amendment, 13?

6365

*The Clerk. Yes, I do.

6366

*The Chairman. The clerk will report the amendment.

6367

*The Clerk. Amendment to H.R. 2467, offered by Mr.

6368

Johnson of Ohio. In section 2 --

6369

*The Chairman. Without objection, Madam Clerk, the

6370

reading of the amendment will be dispensed with.

6371 [The amendment of Mr. Johnson follows:]

6372

6373 *****COMMITTEE INSERT*****

6374

6375 *The Chairman. And Mr. Johnson is recognized for five
6376 minutes.

6377 *Mr. Johnson. Mr. Chairman, we are hearing a lot today
6378 from some of our colleagues about how passing the PFAS Action
6379 Act is urgent, and failure to do so would be catastrophic.
6380 It is, actually, right the opposite.

6381 For those of you who are not members of the Environment
6382 Subcommittee, where we marked this legislation up last week,
6383 I will reiterate for the full committee's benefit what I went
6384 over then. I want to make it clear to the whole committee
6385 that, just because the PFAS Action Act isn't law today, does
6386 not mean that action has not been, is not being, or will not
6387 be taken on PFAS. We went over this in great detail last
6388 week, and I know some of my colleagues have touched on it
6389 again today.

6390 But contrary to what the proponents of this legislation
6391 will tell you, in addition to the EPA, who has been working
6392 on this, Congress has also passed dozens of bipartisan PFAS
6393 measures, especially in regards to mitigating these
6394 substances on and around military bases.

6395 Additionally, many states, including my home state of
6396 Ohio, are taking a leading role in understanding and dealing
6397 with these chemicals.

6398 We all agree that bad actors who dump toxic substances
6399 into our waterways must be held fully accountable. But our

6400 committee should be careful not to get out ahead of the
6401 science and current regulatory processes by passing this
6402 legislation, which, as my Republican colleagues have pointed
6403 out, would overwhelm the EPA with unworkable mandates, and
6404 cause far-reaching unintended consequences.

6405 Maybe we should have held some legislative hearings on
6406 this, but here we are, and we can make this bill better.

6407 Mr. Chairman, as you know, some of us on this committee
6408 represent districts that are blessed with cheap and abundant
6409 American oil and gas resources. And we work tirelessly to
6410 preserve the jobs and prosperity that go along with it.
6411 While some areas might rely on these industries, I remind the
6412 committee that all of us, and all of the men and women we
6413 serve, all the Americans we serve, depend on the safe and
6414 efficient extraction, transportation, and delivery of oil and
6415 gas, and the fuels and byproducts derived from it.

6416 As my colleagues have described, whether we like it or
6417 not, PFAS chemicals have a tremendously large array of uses,
6418 touching virtually all industries, and comprising thousands
6419 of products we use every day. It is the same in the oil and
6420 gas industry, where these chemicals are used to ensure the
6421 safety and reliability of pipelines in oil and gas fields
6422 when they are used in various seals, and O-rings, and
6423 gaskets, and other crucial components.

6424 Even the Secretary of Energy, Secretary Granholm,

6425 recently said publicly that pipe is the safest way to
6426 transport fuel. So don't we, as members of the Energy and
6427 Commerce Committee, have a responsibility to consider the
6428 consequences of this legislation as it relates to our
6429 responsibilities to safeguard American energy security,
6430 particularly the safety and security of our pipelines?

6431 With all of our recent talk of environmental safety and
6432 pipeline security, are the proponents of this legislation
6433 sure they want to interfere with the safe operation of the
6434 oil and gas industry, which is what this top-down mandated
6435 legislation would do?

6436 So, Mr. Chairman, let's take a step back here. My
6437 amendment is straightforward. It would simply allow for a
6438 critical use exemption for pipeline safety equipment that
6439 contains PFAS. There is no evidence or science to suggest
6440 that PFAS in pipeline safety equipment is a public health or
6441 environmental issue. And I am concerned that the underlying
6442 legislation will weaken pipeline safety by banning the use of
6443 PFAS in critical components like valves, seals, and
6444 protective coatings that prevent leaks.

6445 Last Congress we all joined together to strengthen and
6446 reauthorize PHMSA's pipeline safety program to protect
6447 America's 2.6 million miles of natural gas and hazardous
6448 liquid pipelines. Let's keep pipeline safety a bipartisan
6449 issue on this committee.

6450 With that, I urge my colleagues to vote yes on this
6451 amendment, and I yield back the balance of my time.

6452 *The Chairman. I thank the gentleman, and I will now
6453 move to strike the last word to speak in opposition to the
6454 Johnson amendment.

6455 This amendment would create unnecessary exemptions for
6456 PFAS related to manufacture of pipeline safety equipment
6457 under Superfund section 5 of TSCA, and unsafe incineration
6458 requirements under RCRA. Many manufacturers deal with
6459 hazardous substances listed under Superfund every day.
6460 Superfund liability is an important deterrent that
6461 incentivizes parties to handle these materials responsibly
6462 and take care to avoid releases. If parties do not cause a
6463 release of pollution, they will not have a problem. And if
6464 they do cause a release, they should be liable to clean it
6465 up.

6466 The amendment also provides an exemption from section 9
6467 of the bill, which prohibits the unsafe incineration of PFAS,
6468 and I don't think we should tolerate unsafe disposal and
6469 unsafe incineration of people under any circumstances,
6470 regardless of whether those PFAS were related to pipeline
6471 safety equipment.

6472 So if we want to really address the threat of PFAS
6473 exposure, we need to make sure strong protections are in
6474 place. But this amendment would create loopholes which will

6475 ultimately remove incentives for the safe handling and
6476 disposal of PFAS. So for that reason I urge my colleagues to
6477 oppose the amendment, and to support the underlying bill, and
6478 I yield back.

6479 Are there other members that want to speak on the
6480 Johnson amendment?

6481 Yes, the gentleman -- Mr. Joyce.

6482 *Mr. Joyce. Mr. Chairman, I wish to strike the last
6483 word.

6484 *The Chairman. The gentleman is recognized for five
6485 minutes.

6486 *Mr. Joyce. Thank you, Mr. Chairman. Mr. Chairman,
6487 this Act is well-intentioned, but ill-executed.

6488 I believe that everyone on this committee wants safe and
6489 clean drinking water for their communities and their
6490 constituents. But this is not the way to go about it. We
6491 cannot take the wrong approach to dealing with these complex
6492 and complicated chemicals. Some have detrimental health
6493 impacts under certain circumstances, but many others enable
6494 medical innovation, and provide positive patient outcomes.
6495 They provide security of military and law enforcement, and
6496 even energy innovation and pipeline safety.

6497 As a doctor, I have personally seen the benefits of
6498 these products. PFAS materials have in -- a variety of uses
6499 in health care, ranging from cardiac stents to coating

6500 contact lenses. Thanks to technology developed using PFAS
6501 materials, surgeries, such as ones needed to repair
6502 children's congenital heart defects, no longer require risky
6503 open heart surgery, and are commonly done through the arms.

6504 Of course, we don't want dangerous chemicals in our
6505 water supply, but to outright ban the whole family of
6506 products is not the answer. We need a science-grounded,
6507 risk-based approach that identifies the most harmful
6508 chemicals, and treats them as such, rather than regulate the
6509 whole family as a single group.

6510 The EPA, the Department of Defense, and other Federal
6511 agencies, and the states have taken significant actions to
6512 address PFAS challenges, and we should allow them to continue
6513 to do so, instead of implementing a top-down approach, and
6514 mandating the CERCLA designation. CERCLA has potential to
6515 slow down the cleanup process of PFAS, divert resources from
6516 current high-priority public health issues, and create
6517 another unfunded mandate to critical public entities and
6518 local governments.

6519 Instead of interfering, it is time to allow the
6520 government agencies to do their work. So I urge my
6521 colleagues in joining me in voting yes on this amendment, in
6522 securing our energy independence, and I yield the balance of
6523 my time.

6524 *The Chairman. Thank you, Dr. Joyce.

6525 Anyone else on the Johnson of Ohio amendment?
6526 Nobody virtually?
6527 All right, we will go to a vote.
6528 *Mr. Johnson. Mr. Chairman, I request a recorded vote.
6529 *The Chairman. A recorded vote is ordered. Those in
6530 favor of the Johnson amendment will say aye, those opposed to
6531 the amendment will say no, and the clerk shall call the roll.
6532 *The Clerk. Mr. Rush?
6533 [No response.]
6534 *The Chairman. Ms. Eshoo?
6535 [No response.]
6536 *The Clerk. Ms. DeGette?
6537 *Ms. DeGette. No.
6538 *The Clerk. Ms. DeGette votes no.
6539 Mr. Doyle?
6540 *Mr. Doyle. No.
6541 *The Clerk. Mr. Doyle votes no.
6542 Ms. Schakowsky?
6543 *Ms. Schakowsky. No.
6544 *The Clerk. Ms. Schakowsky votes no.
6545 Mr. Butterfield?
6546 [No response.]
6547 *The Clerk. Ms. Matsui?
6548 *Mr. Butterfield. Butterfield -- no.
6549 *Ms. Matsui. Matsui votes no.

6550 *The Clerk. Mr. Butterfield votes no.
6551 Ms. Matsui votes no.
6552 Ms. Castor?
6553 *Ms. Castor. No.
6554 *The Clerk. Ms. Castor votes no.
6555 Mr. Sarbanes?
6556 *Mr. Sarbanes. Sarbanes votes no.
6557 *The Clerk. Mr. Sarbanes votes no.
6558 Mr. McNerney?
6559 *Mr. McNerney. [Inaudible.]
6560 *The Clerk. Mr. McNerney votes no.
6561 Mr. Welch?
6562 *Mr. Welch. Mr. Welch votes no.
6563 *The Clerk. Mr. Welch votes no.
6564 Mr. Tonko?
6565 *Mr. Tonko. Tonko votes no.
6566 *The Clerk. Mr. Tonko votes no.
6567 Ms. Clarke?
6568 *Ms. Clarke. Ms. Clarke of New York votes no.
6569 *The Clerk. Ms. Clarke votes no.
6570 Mr. Schrader?
6571 *Mr. Schrader. Schrader votes no.
6572 *The Clerk. Mr. Schrader votes no.
6573 Mr. Cardenas?
6574 *Mr. Cardenas. Cardenas of California votes no.

6575 *The Clerk. Mr. Cardenas votes no.
6576 Mr. Ruiz?
6577 *Mr. Ruiz. Ruiz from California votes no.
6578 *The Clerk. Mr. Ruiz votes no.
6579 Mr. Peters?
6580 [No response.]
6581 *The Clerk. Mrs. Dingell?
6582 *Mrs. Dingell. [Inaudible.]
6583 *The Clerk. Mrs. Dingell votes no.
6584 Mr. Veasey?
6585 *Mr. Veasey. [Inaudible.]
6586 *The Clerk. Mr. Veasey votes no.
6587 Ms. Kuster?
6588 *Ms. Kuster. Kuster votes no.
6589 *The Clerk. Ms. Kuster votes no.
6590 Ms. Kelly?
6591 *Ms. Kelly. Kelly votes no.
6592 *The Clerk. Ms. Kelly votes no.
6593 Ms. Barragan?
6594 *Ms. Barragan. Barragan votes no.
6595 *The Clerk. Ms. Barragan votes no.
6596 Mr. McEachin?
6597 *Mr. McEachin. McEachin votes no.
6598 *The Clerk. Mr. McEachin votes no.
6599 Ms. Blunt Rochester?

6600 *Ms. Blunt Rochester. Blunt Rochester votes no.
6601 *The Clerk. Ms. Blunt Rochester votes no.
6602 Mr. Soto?
6603 *Mr. Soto. [Inaudible.]
6604 *The Clerk. Mr. Soto votes no.
6605 Mr. O'Halleran?
6606 [No response.]
6607 *The Clerk. Miss Rice?
6608 *Miss Rice. What is the vote, no? No.
6609 *The Clerk. Miss Rice votes no.
6610 Ms. Craig?
6611 [No response.]
6612 *The Clerk. Ms. Schrier?
6613 *Ms. Schrier. Schrier votes no.
6614 *The Clerk. Ms. Schrier votes no.
6615 Mrs. Trahan?
6616 *Mrs. Trahan. Trahan votes no.
6617 *The Clerk. Mrs. Trahan votes no.
6618 Mrs. Fletcher?
6619 *Mrs. Fletcher. Fletcher votes no.
6620 *The Clerk. Mrs. Fletcher votes no.
6621 Mrs. Rodgers?
6622 *Mrs. Rodgers. Rodgers votes aye.
6623 *The Clerk. Mrs. Rodgers votes aye.
6624 Mr. Upton?

6625 *Mr. Upton. Upton votes aye.
6626 *The Clerk. Mr. Upton votes aye.
6627 Mr. Burgess?
6628 [No response.]
6629 *The Clerk. Mr. Scalise?
6630 [No response.]
6631 *The Clerk. Mr. Latta?
6632 *Mr. Latta. Aye.
6633 *The Clerk. Mr. Latta votes aye.
6634 Mr. Guthrie?
6635 *Mr. Guthrie. Aye.
6636 *The Clerk. Mr. Guthrie votes aye.
6637 Mr. McKinley?
6638 *Mr. McKinley. McKinley votes aye.
6639 *The Clerk. Mr. McKinley votes aye.
6640 Mr. Kinzinger?
6641 [No response.]
6642 *The Clerk. Mr. Griffith?
6643 *Mr. Griffith. Aye.
6644 *The Clerk. Mr. Griffith votes aye.
6645 Mr. Bilirakis?
6646 *Mr. Bilirakis. Bilirakis votes aye.
6647 *The Clerk. Mr. Bilirakis votes aye.
6648 Mr. Johnson?
6649 *Mr. Johnson. Aye.

6650 *The Clerk. Mr. Johnson votes aye.
6651 Mr. Long?
6652 *Mr. Long. Long votes aye.
6653 *The Clerk. Mr. Long votes aye.
6654 Mr. Bucshon?
6655 *Mr. Bucshon. Bucshon votes aye.
6656 *The Clerk. Mr. Bucshon votes aye.
6657 Mr. Mullin?
6658 *Mr. Mullin. Mullin votes aye.
6659 *The Clerk. Mr. Mullin votes aye.
6660 Mr. Hudson?
6661 *Mr. Hudson. Hudson votes no.
6662 *The Clerk. Mr. Hudson votes no.
6663 Mr. Walberg?
6664 [No response.]
6665 *The Clerk. Mr. Carter?
6666 *Mr. Carter. Carter votes aye.
6667 *The Clerk. Mr. Carter votes aye.
6668 Mr. Duncan?
6669 *Mr. Duncan. Mr. Duncan votes aye.
6670 *The Clerk. Mr. Duncan votes aye.
6671 Mr. Palmer?
6672 *Mr. Palmer. Palmer votes aye.
6673 *The Clerk. Mr. Palmer votes aye.
6674 Mr. Dunn?

6675 [No response.]

6676 *The Clerk. Mr. Curtis?

6677 [No response.]

6678 *The Clerk. Mrs. Lesko?

6679 *Mrs. Lesko. Lesko votes aye.

6680 *The Clerk. Mrs. Lesko votes aye.

6681 Mr. Pence?

6682 *Mr. Pence. Pence votes aye.

6683 *The Clerk. Mr. Pence votes aye.

6684 Mr. Crenshaw?

6685 *Mr. Crenshaw. Crenshaw votes aye.

6686 *The Clerk. Mr. Crenshaw votes aye.

6687 Mr. Joyce?

6688 *Mr. Joyce. Joyce votes aye.

6689 *The Clerk. Mr. Joyce votes aye.

6690 Mr. Armstrong?

6691 *Mr. Armstrong. Yes.

6692 *The Clerk. Mr. Armstrong votes aye.

6693 Chairman Pallone?

6694 *The Chairman. Pallone votes no.

6695 *The Clerk. Chairman Pallone votes no.

6696 *The Chairman. We had some --

6697 *Mr. Peters. Mr. Chairman, how is Peters recorded?

6698 *The Clerk. Mr. Peters is not recorded.

6699 *Mr. Peters. Peters votes no.

6700 *The Clerk. Mr. Peters --

6701 *Ms. Craig. How is Ms. --

6702 *The Clerk. -- votes no.

6703 *Ms. Craig. How is Ms. Craig recorded?

6704 *The Clerk. Ms. Craig is not recorded.

6705 *Ms. Craig. Craig votes no.

6706 *The Clerk. Ms. Craig votes no.

6707 *Mr. Scalise. Scalise votes aye.

6708 *The Clerk. Mr. Scalise votes aye.

6709 *The Chairman. Mr. Kinzinger is on the screen.

6710 *Voice. No, no --

6711 *The Chairman. Oh, no? Oh, we don't have -- is there

6712 anyone else who wishes to vote, who hasn't?

6713 I think everyone who is on the screen has voted.

6714 All right, the clerk will vote the -- I mean will report

6715 the tally.

6716 *The Clerk. On that vote, Mr. Chairman, the yeas were

6717 20, and the nays were 30.

6718 *The Chairman. Okay, so on the Johnson amendment the

6719 vote is 20 ayes to 30 noes, the amendment is not agreed to.

6720 Are there further amendments?

6721 *Mrs. Lesko. Mr. Chair, it is Debbie Lesko. I have an

6722 amendment at the desk.

6723 *The Chairman. Yes, Mrs. Lesko.

6724 Do you -- Madam Clerk, do you have the Lesko amendment?

6725 *Mrs. Lesko. It is amendment number 12.

6726 *The Clerk. Yes, I have the amendment.

6727 *The Chairman. All right. The clerk will report it.

6728 *The Clerk. Amendment to H.R. 2467, offered by Mrs.

6729 Lesko of Arizona. In section 2, redesignate subsection --

6730 *The Chairman. Without objection, the reading of the

6731 Lesko amendment will be dispensed with.

6732 [The amendment of Mrs. Lesko follows:]

6733

6734 *****COMMITTEE INSERT*****

6735

6736 *The Chairman. And the gentlewoman from Arizona is
6737 recognized for five minutes.

6738 *Mrs. Lesko. Thank you, Mr. Chairman. This amendment
6739 would add the manufacture of lithium batteries to the
6740 exemptions from liability under the provisions of H.R. 2467.

6741 Mr. Chairman, we should assess PFAS risks in an orderly,
6742 scientific manner. We should not issue sweeping laws that,
6743 without any basis, deprive our economy of critical
6744 substances.

6745 This bill imposes a de facto ban on a huge class of
6746 substances critical to our energy systems and electrical
6747 grid, among many other sectors, without even understanding
6748 the risks of these substances. The bill deems certain PFAS
6749 as CERCLA hazardous substances and Clean Air Act hazardous
6750 pollutants, which creates permanent, endless cleanup
6751 liability for manufacturing involving those substances.

6752 As we have heard on other topics, fluoropolymers have
6753 many critical uses, including in the energy and electric
6754 sectors. They are essential for lithium-based batteries that
6755 are so necessary for electric vehicles and the type of
6756 electrical system my colleagues across the aisle are
6757 prioritizing in the Clean Future Act.

6758 This bill will tangle lithium battery industry up with
6759 future uncertainty and liability, discouraging domestic
6760 development and deployment.

6761 I remind members that just last week, on June 8, the
6762 Administration and the Department of Energy issued a plan,
6763 which I have right here, to bolster the domestic development
6764 of lithium-based battery technology. In fact, according to
6765 the Secretary of Energy, she said, "We are going to need a
6766 significant increase in battery production to supercharge
6767 America's clean energy future, which means we urgently need
6768 to build up our capacity to research, develop, manufacture,
6769 and market batteries right here at home," said Secretary of
6770 Energy Jennifer Granholm.

6771 Well, I would say that this legislation, actually, is
6772 adverse to doing what the Department -- the Administration
6773 wants to do. This bill will undermine that effort,
6774 threatening any future manufacturer with liability and costly
6775 litigation, the opposite of what is needed to make a healthy
6776 domestic industry.

6777 Mr. Chairman, we should not put our entire domestic
6778 industries at risk over substances about which we have no or
6779 little information. A vote for this amendment will support
6780 America's efforts to increase American jobs and
6781 manufacturing. A vote against this amendment will only help
6782 China.

6783 And with that, I yield back, and I ask for a recorded
6784 vote.

6785 *The Chairman. I thank the gentlewoman.

6786 Anyone -- Mr. McNerney is recognized for five minutes.

6787 *Mr. McNerney. Well, I thank the chairman for
6788 recognizing me, and I want to speak in opposition to the
6789 amendment, and I move to strike the last word.

6790 *The Chairman. The gentleman is recognized.

6791 *Mr. McNerney. This amendment would create unnecessary
6792 exemptions for PFAS-related manufacturing of lithium ion
6793 batteries under the Superfund section five of TSCA, and
6794 unsafe incineration requirements under RCRA.

6795 Many manufacturers deal with hazardous substances listed
6796 in Superfunds every day. Superfund liability is an important
6797 deterrent that incentivizes parties to handle these materials
6798 responsibly, and to take care to avoid releases. If parties
6799 do not cause a release of pollution, they do not have a
6800 problem. And if they do cause the release of pollution, they
6801 should be held liable to clean it up.

6802 This amendment also provides an exemption from section 9
6803 of the bill, which prohibits the unsafe incineration of PFAS.

6804 We should not tolerate unsafe disposal and unsafe
6805 incineration of PFAS under any circumstances, regardless of
6806 whether those PFAS-related -- were related to lithium ion
6807 batteries.

6808 If we really want to address the threat of PFAS
6809 exposures, we need to make sure strong protections are in
6810 place. But this amendment would create loopholes, which

6811 ultimately remove incentives for the safe handling and
6812 disposal of PFAS. So I guess I am going to have to urge my
6813 colleagues to oppose this amendment and support the
6814 underlying bill.

6815 I yield back.

6816 *The Chairman. I thank the gentleman.

6817 Anybody else want to speak on the Lesko amendment?

6818 I hear a vote, right?

6819 [Laughter.]

6820 *The Chairman. Mrs. Lesko asked for a recorded vote, so
6821 we will go to that. A recorded vote is ordered. Those in
6822 favor of the Lesko amendment will say aye, those opposed will
6823 say no, and the clerk shall call the roll.

6824 *The Clerk. Mr. Rush?

6825 [No response.]

6826 *The Chairman. Ms. Eshoo?

6827 [No response.]

6828 *The Clerk. Ms. DeGette?

6829 *Ms. DeGette. No.

6830 *The Clerk. Ms. DeGette votes no.

6831 Mr. Doyle?

6832 *Mr. Doyle. No.

6833 *The Clerk. Mr. Doyle votes no.

6834 Ms. Schakowsky?

6835 *Ms. Schakowsky. No.

6836 *The Clerk. Ms. Schakowsky votes no.
6837 Mr. Butterfield?
6838 *Mr. Butterfield. No.
6839 *The Clerk. Mr. Butterfield votes no.
6840 Ms. Matsui?
6841 *Ms. Matsui. Matsui votes no.
6842 *The Clerk. Ms. Matsui votes no.
6843 Ms. Castor?
6844 *Ms. Castor. [Inaudible.]
6845 *The Clerk. Ms. Castor votes no.
6846 Mr. Sarbanes?
6847 [No response.]
6848 *The Clerk. Mr. McNerney?
6849 *Mr. McNerney. No.
6850 *The Clerk. Mr. McNerney votes no.
6851 Mr. Welch?
6852 *Mr. Welch. Mr. Welch votes no.
6853 *The Clerk. Mr. Welch votes no.
6854 Mr. Tonko?
6855 *Mr. Tonko. Tonko votes no.
6856 *The Clerk. Mr. Tonko votes no.
6857 Ms. Clarke?
6858 *Ms. Clarke. Ms. Clarke of New York votes no.
6859 *The Clerk. Ms. Clarke votes no.
6860 Mr. Schrader?

6861 *Mr. Schrader. Schrader votes no.
6862 *The Clerk. Mr. Schrader votes no.
6863 Mr. Cardenas?
6864 *Mr. Cardenas. Cardenas of California votes no.
6865 *The Clerk. Mr. Cardenas votes no.
6866 Mr. Ruiz?
6867 *Mr. Ruiz. Ruiz from California votes no.
6868 *The Clerk. Mr. Ruiz votes no.
6869 Mr. Peters?
6870 *Mr. Peters. Peters votes no.
6871 *The Clerk. Mr. Peters votes no.
6872 Mrs. Dingell?
6873 *Mrs. Dingell. [Inaudible.]
6874 *The Clerk. Mrs. Dingell votes no.
6875 Mr. Veasey?
6876 *Mr. Veasey. [Inaudible.]
6877 *The Clerk. Mr. Veasey votes no.
6878 Ms. Kuster?
6879 *Ms. Kuster. Kuster votes no.
6880 *The Clerk. Ms. Kuster votes no.
6881 Ms. Kelly?
6882 *Ms. Kelly. Kelly votes no.
6883 *The Clerk. Ms. Kelly votes no.
6884 Ms. Barragan?
6885 *Ms. Barragan. Barragan votes no.

6886 *The Clerk. Ms. Barragan votes no.
6887 Mr. McEachin?
6888 *Mr. McEachin. McEachin votes no.
6889 *The Clerk. Mr. McEachin votes no.
6890 Ms. Blunt Rochester?
6891 *Ms. Blunt Rochester. Blunt Rochester votes no.
6892 *The Clerk. Ms. Blunt Rochester votes no.
6893 Mr. Soto?
6894 [No response.]
6895 *The Clerk. Mr. O'Halleran?
6896 [No response.]
6897 *The Clerk. Miss Rice?
6898 *Miss Rice. Rice votes no.
6899 *The Clerk. Miss Rice votes no.
6900 Ms. Craig?
6901 *Ms. Craig. Craig votes no.
6902 *The Clerk. Ms. Craig votes no.
6903 Ms. Schrier?
6904 *Ms. Schrier. Schrier votes no.
6905 *The Clerk. Ms. Schrier votes no.
6906 Mrs. Trahan?
6907 *Mrs. Trahan. Trahan votes no.
6908 *The Clerk. Mrs. Trahan votes no.
6909 Mrs. Fletcher?
6910 *Mrs. Fletcher. Fletcher votes no.

6911 *The Clerk. Mrs. Fletcher votes no.
6912 Mrs. Rodgers?
6913 *Mrs. Rodgers. [Inaudible.]
6914 *The Clerk. Mrs. Rodgers votes aye.
6915 Mr. Upton?
6916 *Mr. Upton. Aye.
6917 *The Clerk. Mr. Upton votes aye.
6918 Mr. Burgess?
6919 [No response.]
6920 *The Clerk. Mr. Scalise?
6921 *Mr. Scalise. Scalise votes aye.
6922 *The Clerk. Mr. Scalise votes aye.
6923 Mr. Latta?
6924 *Mr. Latta. [Inaudible.]
6925 *The Clerk. Mr. Latta votes aye.
6926 Mr. Guthrie?
6927 *Mr. Guthrie. Aye.
6928 *The Clerk. Mr. Guthrie votes aye.
6929 Mr. McKinley?
6930 *Mr. McKinley. McKinley votes aye.
6931 *The Clerk. Mr. McKinley votes aye.
6932 Mr. Kinzinger?
6933 [No response.]
6934 *The Clerk. Mr. Griffith?
6935 *Mr. Griffith. Aye.

6936 *The Clerk. Mr. Griffith votes aye.
6937 Mr. Bilirakis?
6938 *Mr. Bilirakis. Bilirakis votes aye.
6939 *The Clerk. Mr. Bilirakis votes aye.
6940 Mr. Johnson?
6941 *Mr. Johnson. Johnson votes aye.
6942 *The Clerk. Mr. Johnson votes aye.
6943 Mr. Long?
6944 *Mr. Long. Long votes aye.
6945 *The Clerk. Mr. Long votes aye.
6946 Mr. Bucshon?
6947 *Mr. Bucshon. Bucshon votes aye.
6948 *The Clerk. Mr. Bucshon votes aye.
6949 Mr. Mullin?
6950 *Mr. Mullin. Mullin votes aye.
6951 *The Clerk. Mr. Mullin votes aye.
6952 Mr. Hudson?
6953 *Mr. Hudson. Hudson votes no.
6954 *The Clerk. Mr. Hudson votes no.
6955 Mr. Walberg?
6956 *Mr. Walberg. Walberg votes aye.
6957 *The Clerk. Mr. Walberg votes aye.
6958 Mr. Carter?
6959 *Mr. Carter. [Inaudible.]
6960 *The Clerk. Mr. Carter votes aye.

6961 Mr. Duncan?

6962 *Mr. Duncan. Mr. Duncan votes aye.

6963 *The Clerk. Mr. Duncan votes aye.

6964 Mr. Palmer?

6965 *Mr. Palmer. Palmer votes aye.

6966 *The Clerk. Mr. Palmer votes aye.

6967 Mr. Dunn?

6968 [No response.]

6969 *The Clerk. Mr. Curtis?

6970 [No response.]

6971 *The Clerk. Mrs. Lesko?

6972 *Mrs. Lesko. Lesko votes aye.

6973 *The Clerk. Mrs. Lesko votes aye.

6974 Mr. Pence?

6975 *Mr. Pence. Pence votes aye.

6976 *The Clerk. Mr. Pence votes aye.

6977 Mr. Crenshaw?

6978 *Mr. Crenshaw. [Inaudible.]

6979 *The Clerk. Mr. Crenshaw votes aye.

6980 Mr. Joyce?

6981 *Mr. Joyce. Joyce votes aye.

6982 *The Clerk. Mr. Joyce votes aye.

6983 Mr. Armstrong?

6984 *Mr. Armstrong. Yes.

6985 *The Clerk. Mr. Armstrong votes aye.

6986 Chairman Pallone?

6987 *The Chairman. Votes no.

6988 *The Clerk. Chairman Pallone votes no.

6989 *The Chairman. Anyone who is not recorded and wants to
6990 be?

6991 Mr. Soto?

6992 *Mr. Soto. Soto votes no.

6993 *The Clerk. Mr. Soto votes no.

6994 *Ms. Blunt Rochester. Mr. Chairman, how am I recorded?
6995 Ms. Blunt Rochester.

6996 *The Clerk. Ms. Blunt Rochester is not recorded.

6997 *Ms. Blunt Rochester. Ms. Blunt Rochester votes no.

6998 *The Clerk. Ms. Blunt Rochester votes no.

6999 *The Chairman. Mr. O'Halleran?

7000 *Mr. Sarbanes. Mr. --

7001 *Mr. O'Halleran. [Inaudible.]

7002 *The Clerk. Mr. O'Halleran votes no.

7003 *Mr. Sarbanes. Mr. Chairman, how is Sarbanes recorded?

7004 *The Clerk. Mr. Sarbanes is not recorded.

7005 *Mr. Sarbanes. Sarbanes votes no.

7006 *The Clerk. Mr. Sarbanes votes no.

7007 *The Chairman. Anyone else who is not recorded, or
7008 wants to be?

7009 All right, Madam Clerk, report the tally on the Lesko
7010 amendment.

7011 *The Clerk. On that vote, Mr. Chairman, the yeas were
7012 21, and the nays were 31.

7013 *The Chairman. All right. The vote on the Lesko
7014 amendment is 21 ayes to 31 noes, the amendment is not agreed
7015 to.

7016 Are there further amendments?

7017 *Mr. Carter. Mr. Chairman, I have an amendment at the
7018 desk.

7019 *The Chairman. Okay, Mr. Carter.

7020 Do we have that at the desk, Madam Clerk?

7021 *Mr. Carter. Number 16.

7022 *The Chairman. Number 16.

7023 *The Clerk. Yes, I have it.

7024 *The Chairman. All right. Does the -- will the clerk
7025 report the amendment?

7026 *The Clerk. Amendment to H.R. 2467, offered by Mr.
7027 Carter of Georgia. In section 2, redesignate --

7028 *The Chairman. Madam Clerk, without objection, the
7029 reading of the amendment will be dispensed with.

7030 [The amendment of Mr. Carter follows:]

7031

7032 *****COMMITTEE INSERT*****

7033

7034 *The Chairman. And Mr. Carter is recognized.

7035 Well, first of all, is there -- can we turn on the air
7036 conditioning in here?

7037 [Laughter.]

7038 *The Chairman. It is awful hot.

7039 *Mrs. Rodgers. It is going to put us to sleep.

7040 *The Chairman. Really.

7041 *Voice. They turned a switch off.

7042 *The Chairman. Is that what it is?

7043 *Voice. You are in charge of the temperature.

7044 *The Chairman. I mean, really.

7045 All right. Well, Mr. Carter of Georgia --

7046 *Voice. Maybe we are trying to switch --

7047 [Laughter.]

7048 *The Chairman. -- of Georgia is recognized on his
7049 amendment for five minutes.

7050 *Mr. Carter. Thank you, Mr. Chairman. Mr. Chairman,
7051 this legislative package is an indiscriminate ban on safer
7052 PFAS, and a ban on using any of the 9,252 existing PFAS.

7053 I said it during the subcommittee markup of this bill,
7054 and I will say it again: PFAS is a class of chemicals, with
7055 multiple important beneficial uses. The EPA continues to
7056 learn more about these thousands of chemicals, and I
7057 encourage them to continue their work. However, this bill
7058 makes the dramatic leap of declaring them all hazardous

7059 before we complete that process.

7060 First, the legislation statutorily names certain PFAS
7061 chemical substances as hazardous substances or hazardous air
7062 pollutants, thus making a safer version of an existing PFAS
7063 because of the desirability of its properties is not
7064 possible. The bill deems a new PFAS dangerous, and bans EPA
7065 from even considering its safety.

7066 For PFAS-containing products that are on the market, the
7067 bill creates a Federal labeling program to encourage
7068 customers to avoid buying anything containing PFAS for fear
7069 of exposure. Unfortunately, there is no requirement that the
7070 label inform consumers of what risk exists.

7071 The bill creates a Catch-22 at every turn that will be a
7072 boon to the plaintiffs bar. My amendment seeks to bring some
7073 sanity to this bill. As I mentioned earlier, there are 9,252
7074 PFAS, and EPA doesn't know how harmful the vast majority of
7075 PFAS are.

7076 Rather than destroy all the places where specific PFAS
7077 has not been found dangerous, my amendment provides important
7078 protections from the regulatory overreach in this bill. It
7079 would permit critical uses of PFAS and safer PFAS to continue
7080 within the aerospace industry, including airplane
7081 construction.

7082 Fluoropolymers are critical to the aerospace industry,
7083 because they enhance reliability, safety, and communication

7084 in aircraft. Fluoropolymers improve resistance to heat and
7085 cold, improve fire and smoke resistance, and protect against
7086 corrosion, and prevent fuel leaks. Specifically, critical
7087 uses in aerospace include cable and wiring insulation in air
7088 and space craft, antenna technology necessary to improve in-
7089 flight connectivity to wireless networks, aircraft interior
7090 coatings, materials, tapes, and gaskets, rings and seals for
7091 hydraulic systems, hoses and tubing, and electronic system
7092 support.

7093 My colleagues, we need safe aircraft. Immediately
7094 chilling the need for these items will only put negative
7095 pressure on manufacturers to come up with parts that were
7096 either not designed to be included in these planes, or don't
7097 have the same performance level as the place (sic) they are
7098 replacing.

7099 It is not just a matter of safety, either. The research
7100 and development needed to find replacements is lengthy and
7101 costly, without a guarantee of success. When it comes to
7102 flying safety, we need that guarantee of success. Think of
7103 the impacts on our national security, our scientific
7104 advantage -- advancement. Fighter aircraft that maintain our
7105 ability to maintain air superiority, and helicopters that
7106 support our troops around the globe all have components that
7107 use PFAS. All our highly-advantaged aircrafts use PFAS.

7108 Our ability to continue research through NASA and

7109 explore past our planet will be put in jeopardy. I want to
7110 see the United States remain a leader of innovation, but I
7111 fear that it won't be possible if we put a blanket ban on the
7112 chemicals needed for so many advancements. We simply do not
7113 have acceptable alternatives for many of the uses of PFAS.

7114 With a timeline of five years in the bill to make this
7115 determination for more than 9,000 substances, it is not
7116 realistic to expect the EPA to do the thorough and complete
7117 job we need. As such, a vote for my amendment is a vote for
7118 science before regulation. It is also a vote for the safety
7119 of the flying public.

7120 I urge support for my amendment. And before I yield
7121 back, Mr. Chairman, we have been at this off and on since
7122 10:30 this morning, and I am glad now, at 6:30, that we will
7123 be able to finally pass a Republican amendment, and I yield
7124 back.

7125 [Laughter.]

7126 *The Chairman. Is that true?

7127 [Laughter.]

7128 *The Chairman. All right, Mr. Carter, thank you. I
7129 don't know if what you are saying is true, but okay. I don't
7130 think it is. Mr. Tonko is recognized for five minutes.

7131 *Mr. Tonko. Yes, we will see how the amendment does
7132 here.

7133 I move to strike the last word to speak in opposition to

7134 the --

7135 *The Chairman. The gentleman is recognized.

7136 *Mr. Tonko. -- amendment, Mr. Chair. Thank you.

7137 This amendment would create unnecessary exemptions for
7138 PFAS related to manufacture of components for airplanes and
7139 helicopters under Superfund section five of TSCA, and unsafe
7140 incineration requirements under RCRA.

7141 Many manufacturers deal with hazardous substances listed
7142 under Superfund each and every day. Superfund liability is
7143 an important deterrent that incentivizes parties to handle
7144 these materials responsibly, and to take care to avoid
7145 releases. If parties do not cause a release of pollution,
7146 they will not have a problem. And if they do cause a
7147 release, they should be liable to clean it up.

7148 This amendment also provides an exemption from section 9
7149 of the bill, which prohibits the unsafe incineration of PFAS.

7150 We should not tolerate unsafe disposal and unsafe
7151 incineration of PFAS under any circumstances, regardless of
7152 whether those PFAS elements were related to aerospace. If we
7153 want to really address the threat of PFAS exposure, we need
7154 to make certain strong protections are in place. But this
7155 amendment would create loopholes which will ultimately remove
7156 incentives for the safe handling and disposal of PFAS.

7157 With that, I urge my colleagues to oppose this
7158 amendment, Mr. Chair, I support this bill, and I yield back.

7159 *The Chairman. Thank you, Mr. Tonko.
7160 Does anyone else want to speak on the Carter amendment?
7161 Okay, it doesn't look like it. Nobody virtually?
7162 We are going to go to a vote.
7163 *Mr. Carter. A recorded vote?
7164 *The Chairman. A recorded vote, yes. A recorded vote
7165 is ordered. Those in favor of the Carter amendment will say
7166 aye, those opposed will say no, and the clerk shall call the
7167 roll.
7168 *The Clerk. Mr. Rush?
7169 [No response.]
7170 *The Chairman. Ms. Eshoo?
7171 [No response.]
7172 *The Clerk. Ms. DeGette?
7173 *Ms. DeGette. No.
7174 *The Clerk. Ms. DeGette votes no.
7175 Mr. Doyle?
7176 *Mr. Doyle. No.
7177 *The Clerk. Mr. Doyle votes no.
7178 Ms. Schakowsky?
7179 *Ms. Schakowsky. No.
7180 *The Clerk. Ms. Schakowsky votes no.
7181 Mr. Butterfield?
7182 [No response.]
7183 *The Clerk. Ms. Matsui?

7184 *Ms. Matsui. Matsui votes no.
7185 *The Clerk. Ms. Matsui votes no.
7186 Ms. Castor?
7187 *Ms. Castor. [Inaudible.]
7188 *The Clerk. Ms. Castor votes no.
7189 Mr. Sarbanes?
7190 [No response.]
7191 *The Clerk. Mr. McNerney?
7192 *Mr. McNerney. No.
7193 *The Clerk. Mr. McNerney votes no.
7194 Mr. Welch?
7195 *Mr. Welch. Mr. Welch votes no.
7196 *The Chairman. -- getting restless.
7197 *The Clerk. I didn't hear --
7198 *Mr. Welch. Mr. Welch votes no.
7199 *The Clerk. Mr. Welch votes no.
7200 Mr. Tonko?
7201 *Mr. Tonko. Tonko votes no.
7202 *The Clerk. Mr. Tonko votes no.
7203 Ms. Clarke?
7204 *Ms. Clarke. Ms. Clarke of New York votes no.
7205 *The Clerk. Ms. Clarke votes no.
7206 Mr. Schrader?
7207 *Mr. Schrader. [Inaudible.]
7208 *The Clerk. Mr. Schrader votes no.

7209 Mr. Cardenas?
7210 *Mr. Cardenas. Cardenas of California votes no.
7211 *The Clerk. Mr. Cardenas votes no.
7212 Mr. Ruiz?
7213 *Mr. Ruiz. Ruiz from California votes no.
7214 *The Clerk. Mr. Ruiz votes no.
7215 Mr. Peters?
7216 *Mr. Peters. Peters votes no.
7217 *The Clerk. Mr. Peters votes no.
7218 Mrs. Dingell?
7219 *Mrs. Dingell. [Inaudible.]
7220 *The Clerk. Mrs. Dingell votes no.
7221 Mr. Veasey?
7222 *Mr. Veasey. [Inaudible.]
7223 *The Clerk. Mr. Veasey votes no.
7224 Ms. Kuster?
7225 *Ms. Kuster. Kuster votes no.
7226 *The Clerk. Ms. Kuster votes no.
7227 Ms. Kelly?
7228 *Ms. Kelly. Kelly votes no.
7229 *The Clerk. Ms. Kelly votes no.
7230 Ms. Barragan?
7231 *Ms. Barragan. Barragan votes no.
7232 *The Clerk. Ms. Barragan votes no.
7233 Mr. McEachin?

7234 *Mr. McEachin. McEachin votes no.
7235 *The Clerk. Mr. McEachin votes no.
7236 Ms. Blunt Rochester?
7237 [No response.]
7238 *The Clerk. Mr. Soto?
7239 *Ms. Blunt Rochester. Blunt Rochester votes no. Sorry.
7240 *The Clerk. Ms. Blunt Rochester votes no.
7241 Mr. Soto?
7242 *Mr. Soto. [Inaudible.]
7243 *The Clerk. Mr. Soto votes no.
7244 Mr. O'Halleran?
7245 *Mr. O'Halleran. No.
7246 *The Clerk. Mr. O'Halleran votes no.
7247 Miss Rice?
7248 *Miss Rice. Rice votes no.
7249 *The Clerk. Miss Rice votes no.
7250 Ms. Craig?
7251 *Ms. Craig. Craig votes no.
7252 *The Clerk. Ms. Craig votes no.
7253 Ms. Schrier?
7254 *Ms. Schrier. Schrier votes no.
7255 *The Clerk. Ms. Schrier votes no.
7256 Mrs. Trahan?
7257 *Mrs. Trahan. Trahan votes no.
7258 *The Clerk. Mrs. Trahan votes no.

7259 Mrs. Fletcher?

7260 *Mrs. Fletcher. Fletcher votes no.

7261 *The Clerk. Mrs. Fletcher votes no.

7262 Mrs. Rodgers?

7263 *Mrs. Rodgers. [Inaudible.]

7264 *The Clerk. Mrs. Rodgers votes aye.

7265 Mr. Upton?

7266 *Mr. Upton. [Inaudible.]

7267 *The Clerk. Mr. Upton votes aye.

7268 Mr. Burgess?

7269 [No response.]

7270 *The Clerk. Mr. Scalise?

7271 [No response.]

7272 *The Clerk. Mr. Latta?

7273 *Mr. Latta. Aye.

7274 *The Clerk. Mr. Latta votes aye.

7275 Mr. Guthrie?

7276 *Mr. Guthrie. Aye.

7277 *The Clerk. Mr. Guthrie votes aye.

7278 Mr. McKinley?

7279 *Mr. McKinley. McKinley votes aye.

7280 *The Clerk. Mr. McKinley votes aye.

7281 Mr. Kinzinger?

7282 [No response.]

7283 *The Clerk. Mr. Griffith?

7284 *Mr. Griffith. Aye.
7285 *The Clerk. Mr. Griffith votes aye.
7286 Mr. Bilirakis?
7287 *Mr. Bilirakis. Bilirakis votes aye.
7288 *The Clerk. Mr. Bilirakis votes aye.
7289 Mr. Johnson?
7290 *Mr. Johnson. Johnson votes aye.
7291 *The Clerk. Mr. Johnson votes aye.
7292 Mr. Long?
7293 *Mr. Long. Long votes aye.
7294 *The Clerk. Mr. Long votes aye.
7295 Mr. Bucshon?
7296 *Mr. Bucshon. Bucshon votes aye.
7297 *The Clerk. Mr. Bucshon votes aye.
7298 Mr. Mullin?
7299 *Mr. Mullin. Mullin votes aye.
7300 *The Clerk. Mr. Mullin votes aye.
7301 Mr. Hudson?
7302 *Mr. Hudson. Hudson votes no.
7303 *The Clerk. Mr. Hudson votes no.
7304 Mr. Walberg?
7305 *Mr. Walberg. Walberg votes yes.
7306 *The Clerk. Mr. Walberg votes aye.
7307 Mr. Carter?
7308 *Mr. Carter. Carter votes aye.

7309 *The Clerk. Mr. Carter votes aye.
7310 Mr. Duncan?
7311 *Mr. Duncan. Mr. Duncan votes aye.
7312 *The Clerk. Mr. Duncan votes aye.
7313 Mr. Palmer?
7314 *Mr. Palmer. Palmer votes aye.
7315 *The Clerk. Mr. Palmer votes aye.
7316 Mr. Dunn?
7317 [No response.]
7318 *The Clerk. Mr. Curtis?
7319 *Mr. Curtis. Curtis votes aye.
7320 *The Clerk. Mr. Curtis votes aye.
7321 Mrs. Lesko?
7322 *Mrs. Lesko. Lesko votes aye.
7323 *The Clerk. Mrs. Lesko votes aye.
7324 Mr. Pence?
7325 *Mr. Pence. Pence votes aye.
7326 *The Clerk. Mr. Pence votes aye.
7327 Mr. Crenshaw?
7328 *Mr. Crenshaw. [Inaudible.]
7329 *The Clerk. Mr. Crenshaw votes aye.
7330 Mr. Joyce?
7331 [No response.]
7332 *The Clerk. Mr. Armstrong?
7333 *Mr. Armstrong. Yes.

7334 *The Clerk. Mr. Armstrong votes aye.
7335 Chairman Pallone?
7336 *The Chairman. Pallone votes no.
7337 *The Clerk. Chairman Pallone votes no.
7338 *The Chairman. Any members who haven't voted?
7339 Mr. Butterfield?
7340 *Mr. Butterfield. [Inaudible.]
7341 *The Clerk. Mr. Butterfield votes no.
7342 *The Chairman. Mr. Scalise?
7343 *Mr. Scalise. Scalise votes aye.
7344 *The Clerk. Mr. Scalise votes aye.
7345 *The Chairman. Anyone else --
7346 *Mr. Sarbanes. Is Sarbanes recorded?
7347 *The Chairman. Sarbanes?
7348 *Mr. Sarbanes. Sarbanes recorded?
7349 *The Clerk. Mr. Sarbanes is not recorded.
7350 *Mr. Sarbanes. Sarbanes votes no.
7351 *The Clerk. Mr. Sarbanes votes no.
7352 *The Chairman. Any other member who is not recorded,
7353 and wants to be, virtually, otherwise?
7354 No? All right, this is the Carter amendment. Madam
7355 Clerk will report the tally.
7356 *The Clerk. On that vote, Mr. Chairman, the yeas were
7357 21, and the nays were 31.
7358 *The Chairman. Thirty-one, good vote.

7359 [Laughter.]

7360 *The Chairman. The vote on the Carter amendment is 21
7361 ayes to 31 noes. The amendment is not agreed to.

7362 Are there further amendments to this legislation?

7363 Yes, Mr. McKinley?

7364 *Mr. McKinley. Mr. Chairman, I have an amendment at the
7365 desk.

7366 *The Chairman. Mr. McKinley's -- you have his
7367 amendment, Madam Clerk?

7368 *The Clerk. What is the number?

7369 *Mr. McKinley. It should be the last one down there.

7370 *The Chairman. The last one? Good.

7371 *The Clerk. Yes, I have the amendment.

7372 *Voice. I think it is number one.

7373 *The Chairman. Number one, perhaps?

7374 *Mrs. Rodgers. Didn't you miss us?

7375 [Laughter.]

7376 *The Chairman. Number one? Is that it?

7377 *The Clerk. Mm-hmm.

7378 *The Chairman. The clerk will report the amendment.

7379 *The Clerk. Amendment to H.R. 2467, offered by Mr.
7380 McKinley of West Virginia. In section 2, redesignate -

7381 *The Chairman. Without objection, Madam Clerk, the
7382 reading of the amendment will be dispensed with.

7383

7384 [The amendment of Mr. McKinley follows:]

7385

7386 *****COMMITTEE INSERT*****

7387

7388 *The Chairman. And the gentleman from West Virginia is
7389 recognized for five minutes.

7390 *Mr. McKinley. Thank you, Mr. Chairman. Look, just
7391 like the bill exempts airports from Superfund liability, this
7392 amendment would similarly exempt community water systems.

7393 Superfund triggers automatic and permanent liability for
7394 anyone who comes in contact with waste. As I pointed out in
7395 my opening remarks, this bill curiously exempts airports from
7396 liability. However, community water systems that are simply
7397 trying to dispose of PFAS-laden filters would be targeted for
7398 litigation.

7399 Now, simply put, without this amendment, this bill will
7400 put the rate holders of water systems on the hook for costly
7401 litigation.

7402 Families are already struggling with rising costs. Now
7403 Congress is about to be, essentially, increasing their water
7404 bills. Really?

7405 Look, polluters, not ratepayers, should be held liable
7406 under Superfund.

7407 So, Mr. Chairman, let me just try to summarize this. If
7408 exempting airports is a responsible move, and recognizing
7409 that more PFAS firefighting foam is used annually at
7410 America's airports than used in medical devices, Kevlar, and
7411 semiconductors combined -- so let me get this straight. So
7412 the worst culprit of PFAS use is getting an exemption.

7413 I got to say, Mr. Chairman, if exempting the airports is
7414 appropriate, then exempting water utilities is also a correct
7415 and fair thing to do, and I urge support of my amendment, and
7416 yield back my time.

7417 *The Chairman. I thank the gentleman.

7418 Mr. Soto is recognized for five minutes.

7419 *Mr. Soto. Thank you so much. So let me get this
7420 straight. We are going to let people drink tainted water,
7421 have no liability, have no guardrails. That seems to defeat
7422 the whole purpose of the bill.

7423 People don't drink airports, right? They drink water
7424 out of utilities that are helping to protect our
7425 constituents. And so taking this out is unprecedented.

7426 But I also want to talk briefly about what we have seen
7427 in some of these other amendments today. You know, we had a
7428 firefighter cancer cluster in Ocala, in Florida, and we even
7429 had one of the witnesses last year come up. It was his
7430 brother. We didn't even know that. He just mentioned it was
7431 his brother who was part of that cancer cluster in Florida.

7432 When I went to the Avon Air Force Base in my district,
7433 and just south, they had asbestos everywhere. So this idea
7434 that our military bases and our military members shouldn't be
7435 protected from PFAS, just like they are not being protected
7436 from asbestos, our military deserves better. Our
7437 constituents deserve better by clean water. Our military

7438 deserves better by clean installations, by clean equipment
7439 for them to be protected in.

7440 And I did some research on this. Dupont makes Kevlar,
7441 and they are already moving out of PFAS. So the idea that we
7442 would have to exempt things like that is -- just isn't true.
7443 Industry is catching up. They are already on this movement
7444 to get PFAS out of everyday life, so that we could get back
7445 to a healthy population.

7446 And I just want to thank Congresswoman Dingell for your
7447 amazing work all today. You have been our hero, and we are
7448 just so proud of you and Fred.

7449 And I yield back.

7450 *The Chairman. I thank the gentleman.

7451 Does anyone else want to speak on this?

7452 Yes, Mr. Griffith? You are recognized for five minutes.

7453 *Mr. Griffith. Thank you, Mr. Chairman. Speaking on
7454 the amendment, I -- and I know it is getting late, and we are
7455 all getting a little tired, but I am just curious, because I
7456 raised the issue earlier today about chlorine, and how we are
7457 going to manufacture chlorine. And now we have this
7458 amendment about small drinking water companies. And, you
7459 know, nobody is trying to protect anybody who is
7460 intentionally putting this stuff in the water supply. But
7461 generally, it is coming from someplace else, and they are
7462 trying to filter it out.

7463 And while we are solving that problem, Mr. Chairman, we
7464 are creating a huge potential that there will not be
7465 sufficient amount of chlorine to meet the EPA standards, and
7466 really putting a lot of these small water companies between a
7467 rock and a hard place.

7468 I don't know the answer, but if anybody knows how they
7469 are going to manufacture chlorine for use in disinfectants
7470 and use in public water systems, et cetera, without using
7471 asbestos, mercury, or PFAS, I would love it if somebody would
7472 respond to me and tell me how that is going to happen.

7473 I yield back.

7474 *The Chairman. All right, anyone else?

7475 We are going to go to a vote. Okay, a recorded vote is
7476 ordered. Those in favor of the McKinley amendment will say
7477 aye, those opposed will say no, and the clerk shall call the
7478 roll.

7479 *The Clerk. Mr. Rush?

7480 [No response.]

7481 *The Chairman. Ms. Eshoo?

7482 [No response.]

7483 *The Clerk. Ms. DeGette?

7484 *Ms. DeGette. No.

7485 *The Clerk. Ms. DeGette votes no.

7486 Mr. Doyle?

7487 *Mr. Doyle. No.

7488 *The Clerk. Mr. Doyle votes no.
7489 Ms. Schakowsky?
7490 [No response.]
7491 *The Clerk. Mr. Butterfield?
7492 *Mr. Butterfield. No.
7493 *The Clerk. Mr. Butterfield votes no.
7494 Ms. Matsui?
7495 *Ms. Matsui. Matsui votes no.
7496 *The Clerk. Ms. Matsui votes no.
7497 Ms. Castor?
7498 *Ms. Castor. [Inaudible.]
7499 *The Clerk. Ms. Castor votes no.
7500 Mr. Sarbanes?
7501 *Mr. Sarbanes. Sarbanes votes no.
7502 *The Clerk. Mr. Sarbanes votes no.
7503 Mr. McNerney?
7504 *Mr. McNerney. No.
7505 *The Clerk. Mr. McNerney votes no.
7506 Mr. Welch?
7507 *Mr. Welch. Mr. Welch votes no.
7508 *The Clerk. Mr. Welch votes no.
7509 Mr. Tonko?
7510 *Mr. Tonko. Tonko votes no.
7511 *The Clerk. Mr. Tonko votes no.
7512 Ms. Clarke?

7513 *Ms. Clarke. Ms. Clarke votes no. Ms. Clarke of New
7514 York votes no.
7515 *The Clerk. Ms. Clarke votes no.
7516 Mr. Schrader?
7517 *Mr. Schrader. Schrader votes no.
7518 *The Clerk. Mr. Schrader votes no.
7519 Mr. Cardenas?
7520 *Mr. Cardenas. Cardenas of California votes no.
7521 *The Clerk. Mr. Cardenas votes no.
7522 Mr. Ruiz?
7523 *Mr. Ruiz. Ruiz from California votes no.
7524 *The Clerk. Mr. Ruiz votes no.
7525 Mr. Peters?
7526 *Mr. Peters. Peters votes no.
7527 *The Clerk. Mr. Peters votes no.
7528 Mrs. Dingell?
7529 *Mrs. Dingell. [Inaudible.]
7530 *The Clerk. Mrs. Dingell votes no.
7531 Mr. Veasey?
7532 *Mr. Veasey. Veasey votes no.
7533 *The Clerk. Mr. Veasey votes no.
7534 Ms. Kuster?
7535 *Ms. Kuster. Kuster votes no.
7536 *The Clerk. Ms. Kuster votes no.
7537 Ms. Kelly?

7538 *Ms. Kelly. Kelly votes no.
7539 *The Clerk. Ms. Kelly votes no.
7540 Ms. Barragan?
7541 *Ms. Barragan. Barragan votes no.
7542 *The Clerk. Ms. Barragan votes no.
7543 Mr. McEachin?
7544 *Mr. McEachin. McEachin votes no.
7545 *The Clerk. Mr. McEachin votes no.
7546 Ms. Blunt Rochester?
7547 *Ms. Blunt Rochester. Blunt Rochester votes no.
7548 *The Clerk. Ms. Blunt Rochester votes no.
7549 Mr. Soto?
7550 *Mr. Soto. Soto votes no.
7551 *The Clerk. Mr. Soto votes no.
7552 Mr. O'Halleran?
7553 *Mr. O'Halleran. O'Halleran votes no.
7554 *The Clerk. Mr. O'Halleran votes no.
7555 Miss Rice?
7556 *Miss Rice. Rice votes no.
7557 *The Clerk. Miss Rice votes no.
7558 Ms. Craig?
7559 *Ms. Craig. Craig votes no.
7560 *The Clerk. Ms. Craig votes no.
7561 Ms. Schrier?
7562 *Ms. Schrier. Schrier votes no.

7563 *The Clerk. Ms. Schrier votes no.
7564 Mrs. Trahan?
7565 *Mrs. Trahan. Trahan votes no.
7566 *The Clerk. Mrs. Trahan votes no.
7567 Mrs. Fletcher?
7568 *Mrs. Fletcher. Fletcher votes no.
7569 *The Clerk. Mrs. Fletcher votes no.
7570 *Ms. Schakowsky. Schakowsky votes no.
7571 *The Clerk. Ms. Schakowsky votes no.
7572 Mrs. Rodgers?
7573 *Mrs. Rodgers. Mrs. Rodgers votes aye.
7574 *The Clerk. Mrs. Rodgers votes aye.
7575 Mr. Upton?
7576 *Mr. Upton. Votes aye.
7577 *The Clerk. Mr. Upton votes aye.
7578 Mr. Burgess?
7579 [No response.]
7580 *The Clerk. Mr. Scalise?
7581 *Mr. Scalise. Scalise votes aye.
7582 *The Clerk. Mr. Scalise votes aye.
7583 Mr. Latta?
7584 *Mr. Latta. Aye.
7585 *The Clerk. Mr. Latta votes aye.
7586 Mr. Guthrie?
7587 *Mr. Guthrie. Aye.

7588 *The Clerk. Mr. Guthrie votes aye.
7589 Mr. McKinley?
7590 *Mr. McKinley. Aye.
7591 *The Clerk. Mr. McKinley votes aye.
7592 Mr. Kinzinger?
7593 [No response.]
7594 *The Clerk. Mr. Griffith?
7595 *Mr. Griffith. Aye.
7596 *The Clerk. Mr. Griffith votes aye.
7597 Mr. Bilirakis?
7598 [No response.]
7599 *The Clerk. Mr. Johnson?
7600 *Mr. Johnson. Johnson votes aye.
7601 *The Clerk. Mr. Johnson votes aye.
7602 Mr. Long?
7603 *Mr. Long. Long votes aye.
7604 *The Clerk. Mr. Long votes aye.
7605 Mr. Bucshon?
7606 *Mr. Bucshon. Bucshon votes aye.
7607 *The Clerk. Mr. Bucshon votes aye.
7608 Mr. Mullin?
7609 [No response.]
7610 *The Clerk. Mr. Hudson?
7611 *Mr. Hudson. Hudson votes aye.
7612 *The Clerk. Mr. Hudson votes aye.

7613 Mr. Walberg?
7614 *Mr. Walberg. Walberg votes aye.
7615 *The Clerk. Mr. Walberg votes aye.
7616 Mr. Carter?
7617 *Mr. Carter. Carter votes aye.
7618 *The Clerk. Mr. Carter votes aye.
7619 Mr. Duncan?
7620 *Mr. Duncan. Mr. Duncan votes aye.
7621 *The Clerk. Mr. Duncan votes aye.
7622 Mr. Palmer?
7623 *Mr. Palmer. Palmer votes aye.
7624 *The Clerk. Mr. Palmer votes aye.
7625 Mr. Dunn?
7626 *Mr. Dunn. Dunn votes aye.
7627 *The Clerk. Mr. Dunn votes aye.
7628 Mr. Curtis?
7629 *Mr. Curtis. Curtis votes aye.
7630 *The Clerk. Mr. Curtis votes aye.
7631 Mrs. Lesko?
7632 *Mrs. Lesko. Lesko votes aye.
7633 *The Clerk. Mrs. Lesko votes aye.
7634 Mr. Pence?
7635 *Mr. Pence. Pence votes aye.
7636 *The Clerk. Mr. Pence votes aye.
7637 Mr. Crenshaw?

7638 *Mr. Crenshaw. [Inaudible.]

7639 *The Clerk. Mr. Crenshaw votes aye.

7640 Mr. Joyce?

7641 *Mr. Joyce. Joyce votes aye.

7642 *The Clerk. Mr. Joyce votes aye.

7643 Mr. Armstrong?

7644 *Mr. Armstrong. [Inaudible.]

7645 *The Clerk. Mr. Armstrong votes aye.

7646 Chairman Pallone?

7647 *The Chairman. Pallone votes no.

7648 *The Clerk. Chairman Pallone votes no.

7649 *The Chairman. Anybody who has not been recorded and

7650 wants to be?

7651 No? Everybody is -- on the screen has voted?

7652 All right. We will go to -- the clerk will report the

7653 tally on the McKinley amendment.

7654 *The Clerk. On that vote, Mr. Chairman, the yeas were

7655 22, and the nays were 30.

7656 *The Chairman. Okay, so the vote on the McKinley

7657 amendment is 22 ayes to 30 noes, the amendment is not agreed

7658 to.

7659 Are there further amendments to this legislation?

7660 All right, seeing none, we will move to reporting the

7661 bill to the House.

7662 The question now occurs on favorably reporting H.R.

7663 2467, as amended, to the House.

7664 All those in favor of reporting H.R. 2467, as amended,
7665 to the House will signify by saying aye.

7666 All those opposed will say no.

7667 In the opinion -

7668 *Mrs. Rodgers. Oh, noes got it. That was big.

7669 *The Chairman. What is that?

7670 [Laughter.]

7671 *The Chairman. You want a recorded vote?

7672 *Mrs. Rodgers. I am teasing.

7673 *The Chairman. That is all right. I am glad we are
7674 still smiling.

7675 All right, a recorded vote has been requested, and a
7676 recorded vote is ordered. Those in favor of reporting H.R.
7677 2467, as amended, to the House will say aye, those opposed
7678 will say no, and the clerk shall call the roll.

7679 *The Clerk. Mr. Rush?

7680 *Voice. It wasn't amended.

7681 *The Chairman. Oh, it was not amended? Okay, we have
7682 to repeat that, then.

7683 A recorded vote is ordered. Those in favor of reporting
7684 H.R. 2467 to the House will say aye, those opposed will say
7685 no, and the clerk shall call the roll.

7686 *The Clerk. Mr. Rush?

7687 [No response.]

7688 *The Clerk. Ms. Eshoo?
7689 [No response.]
7690 *The Clerk. Ms. DeGette?
7691 *Ms. DeGette. Aye.
7692 *The Clerk. Ms. DeGette votes aye.
7693 Mr. Doyle?
7694 *Mr. Doyle. Yes.
7695 *The Clerk. Mr. Doyle votes aye.
7696 Ms. Schakowsky?
7697 *Ms. Schakowsky. Aye.
7698 *The Clerk. Ms. Schakowsky votes aye.
7699 Mr. Butterfield?
7700 *Mr. Butterfield. [Inaudible.]
7701 *The Clerk. Mr. Butterfield votes aye.
7702 Ms. Matsui?
7703 *Ms. Matsui. Matsui votes aye.
7704 *The Clerk. Ms. Matsui votes aye.
7705 Ms. Castor?
7706 *Ms. Castor. [Inaudible.]
7707 *The Clerk. Ms. Castor votes aye.
7708 Mr. Sarbanes?
7709 *Mr. Sarbanes. Sarbanes votes aye.
7710 *The Clerk. Mr. Sarbanes votes aye.
7711 Mr. McNerney?
7712 *Mr. McNerney. Aye.

7713 *The Clerk. Mr. McNerney votes aye.
7714 Mr. Welch?
7715 *Mr. Welch. Mr. Welch votes aye.
7716 *The Clerk. Mr. Welch votes aye.
7717 Mr. Tonko?
7718 *Mr. Tonko. Tonko votes aye.
7719 *The Clerk. Mr. Tonko votes aye.
7720 Ms. Clarke?
7721 *Ms. Clarke. Ms. Clarke votes aye.
7722 *The Clerk. Ms. Clarke votes aye.
7723 Mr. Schrader?
7724 *Mr. Schrader. Schrader votes aye
7725 *The Clerk. Mr. Schrader votes aye.
7726 Mr. Cardenas?
7727 *Mr. Cardenas. Cardenas of California votes aye.
7728 *The Clerk. Mr. Cardenas votes aye.
7729 Mr. Ruiz?
7730 *Mr. Ruiz. Ruiz from California votes aye.
7731 *The Clerk. Mr. Ruiz votes aye.
7732 Mr. Peters?
7733 *Mr. Peters. Peters votes aye.
7734 *The Clerk. Mr. Peters votes aye.
7735 Mrs. Dingell?
7736 *Mrs. Dingell. [Inaudible.]
7737 *The Clerk. Mrs. Dingell votes aye.

7738 Mr. Veasey?

7739 *Mr. Veasey. Veasey votes aye.

7740 *The Clerk. Mr. Veasey votes aye.

7741 Ms. Kuster?

7742 *Ms. Kuster. Kuster votes aye.

7743 *The Clerk. Ms. Kuster votes aye.

7744 Ms. Kelly?

7745 *Ms. Kelly. Kelly votes aye.

7746 *The Clerk. Ms. Kelly votes aye.

7747 Ms. Barragan?

7748 *Ms. Barragan. Barragan votes aye.

7749 *The Clerk. Ms. Barragan votes aye.

7750 Mr. McEachin?

7751 *Mr. McEachin. Mr. McEachin happily votes aye.

7752 *The Clerk. Mr. McEachin votes aye.

7753 Ms. Blunt Rochester?

7754 *Ms. Blunt Rochester. Blunt Rochester of Delaware votes

7755 aye.

7756 *The Clerk. Ms. Blunt Rochester votes aye.

7757 Mr. Soto?

7758 *Mr. Soto. [Inaudible.]

7759 *The Clerk. Mr. Soto votes aye.

7760 Mr. O'Halleran.

7761 *Mr. O'Halleran. [Inaudible.]

7762 *The Clerk. Mr. O'Halleran votes aye.

7763 Miss Rice?

7764 *Miss Rice. Rice votes aye.

7765 *The Clerk. Miss Rice votes aye.

7766 Ms. Craig?

7767 *Ms. Craig. Craig votes aye.

7768 *The Clerk. Ms. Craig votes aye.

7769 Ms. Schrier?

7770 *Ms. Schrier. Schrier votes aye.

7771 *The Clerk. Ms. Schrier votes aye.

7772 Mrs. Trahan?

7773 [No response.]

7774 *The Clerk. Mrs. Fletcher?

7775 *Mrs. Fletcher. Fletcher votes aye.

7776 *The Clerk. Mrs. Fletcher votes aye.

7777 Mrs. Rodgers?

7778 *Mrs. Rodgers. [Inaudible.]

7779 *The Clerk. Mrs. Rodgers votes no.

7780 Mr. Upton?

7781 *Mr. Upton. [Inaudible.]

7782 *The Clerk. Mr. Upton votes aye.

7783 Mr. Burgess?

7784 [No response.]

7785 *The Clerk. Mr. Scalise?

7786 *Mr. Scalise. Scalise votes no.

7787 *The Clerk. Mr. Scalise votes no.

7788 Mr. Latta?

7789 *Mr. Latta. No.

7790 *The Clerk. Mr. Latta votes no.

7791 Mr. Guthrie?

7792 *Mr. Guthrie. No.

7793 *The Clerk. Mr. Guthrie votes no.

7794 Mr. McKinley?

7795 *Mr. McKinley. [Inaudible.]

7796 *The Clerk. Mr. McKinley votes aye.

7797 Mr. Kinzinger?

7798 [No response.]

7799 *The Clerk. Mr. Griffith?

7800 *Mr. Griffith. [Inaudible.]

7801 *The Clerk. Mr. Griffith votes no.

7802 Mr. Bilirakis?

7803 *Mr. Bilirakis. [Inaudible.]

7804 *The Clerk. Mr. Bilirakis votes no.

7805 Mr. Johnson?

7806 *Mr. Johnson. No.

7807 *The Clerk. Mr. Johnson votes no.

7808 Mr. Long?

7809 *Mr. Long. Long votes no.

7810 *The Clerk. Mr. Long votes no.

7811 Mr. Bucshon?

7812 *Mr. Bucshon. No.

7813 *The Clerk. Mr. Bucshon votes no.
7814 Mr. Mullin?
7815 [No response.]
7816 *The Clerk. Mr. Hudson?
7817 *Mr. Hudson. Hudson votes yes.
7818 *The Clerk. Mr. Hudson votes aye.
7819 Mr. Walberg?
7820 *Mr. Walberg. [Inaudible.]
7821 *The Clerk. Mr. Walberg votes no.
7822 Mr. Carter?
7823 *Mr. Carter. Carter votes no.
7824 *The Clerk. Mr. Carter votes no.
7825 Mr. Duncan?
7826 *Mr. Duncan. Mr. Duncan votes no.
7827 *The Clerk. Mr. Duncan votes no.
7828 Mr. Palmer?
7829 *Mr. Palmer. Palmer votes no.
7830 *The Clerk. Mr. Palmer votes no.
7831 Mr. Dunn?
7832 *Mr. Dunn. Dunn votes no.
7833 *The Clerk. Mr. Dunn votes no.
7834 Mr. Curtis?
7835 *Mr. Curtis. Curtis votes no.
7836 *The Clerk. Mr. Curtis votes no.
7837 Mrs. Lesko?

7838 *Mrs. Lesko. Lesko votes no.
7839 *The Clerk. Mrs. Lesko votes no.
7840 Mr. Pence?
7841 *Mr. Pence. [Inaudible.]
7842 *The Clerk. Mr. Pence votes no.
7843 Mr. Crenshaw?
7844 *Mr. Crenshaw. [Inaudible.]
7845 *The Clerk. Mr. Crenshaw votes no.
7846 Mr. Joyce?
7847 *Mr. Joyce. [Inaudible.]
7848 *Voice. The joys of being a --
7849 *The Clerk. Mr. Joyce votes no.
7850 Mr. Armstrong?
7851 *Mr. Armstrong. [Inaudible.]
7852 *The Clerk. Mr. Armstrong votes no.
7853 Chairman Pallone?
7854 *The Chairman. Pallone votes aye.
7855 *The Clerk. Chairman Pallone votes aye.
7856 Anyone who is not recorded that we missed?
7857 *Mrs. Trahan. Mr. Chairman, Trahan votes yes.
7858 *The Clerk. Mrs. Trahan votes aye.
7859 *The Chairman. Anyone else, virtually or otherwise?
7860 All right, so the clerk will report the tally on final
7861 passage.
7862 *The Clerk. On that vote, Mr. Chairman, the yeas were

7863 33, and the nays were 20.

7864 *The Chairman. Twenty? So on reporting, H.R. 2467 to
7865 the House, the vote is 33 ayes to 20 noes. And so H.R. 2467
7866 is reported to the full House.

7867 Now, before we adjourn. Yes?

7868 *Mrs. Rodgers. Mr. Chairman?

7869 *The Chairman. Mrs. Rodgers is recognized.

7870 *Mrs. Rodgers. Yes, thank you, Mr. Chairman. Pursuant
7871 to clause 2(1) of rule 11, I intend to file views for
7872 inclusion in the report to the House on this legislation, and
7873 ask for 2 additional days to file such views.

7874 *The Chairman. Without objection, so ordered.

7875 I am going to have to read some documents that members
7876 have requested in the record.

7877 But let me just say, before we adjourn, that, you know,
7878 I appreciate everybody's cooperation today. I mean, it was
7879 kind of a practice, but I thought it went pretty well.

7880 *Mrs. Rodgers. Yes.

7881 *The Chairman. It is too hot in here. So --

7882 [Laughter.]

7883 *The Chairman. You know, the problem is that -- no, I
7884 know, I am going to still do that.

7885 We -- you know, we haven't really been in this room
7886 until today, so we will just continue to work out these
7887 kinks. But overall, I think it went well.

7888 So let me request unanimous consent to enter the
7889 following documents into the record: a letter from the Rural
7890 Community Assistance Partnership in support of H.R. 3293, the
7891 Low-Income Water Consumer Assistance Program Act of 2021; a
7892 letter from the Advanced Medical Technology Association; a
7893 letter from Representatives McMorris Rodgers, Guthrie, Latta,
7894 Bilirakis, Upton, McKinley, and Griffith to Acting OMB
7895 Director Fairweather; a letter from the American Chemistry
7896 Council; a letter from the American Water Works Association,
7897 the Association of Metropolitan Water Agencies, the National
7898 Association of Water Companies, and the National Rural Water
7899 Association; a letter from the United States Conference of
7900 Mayors, the National League of Cities, and the National
7901 Association of Counties; and a letter from 18 industry
7902 organizations.

7903 Without objection, so ordered.

7904 [The information follows:]

7905

7906 *****COMMITTEE INSERT*****

7907

7908 *The Chairman. And let me also say or request that,
7909 without objection, the staff is authorized to make technical
7910 and conforming changes to the bills, consistent with the
7911 actions taken by the committee today.

7912 And once again, Mrs. Rodgers, thank you for all your
7913 cooperation with this. And we will continue with this hybrid
7914 version for a while. We will see.

7915 And without that -- without any other business, the
7916 committee stands adjourned.

7917 [Whereupon, at 7:02 p.m., the subcommittee was
7918 adjourned.]