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6 MARKUP OF

7 H.R. 750 (CAMMACK), THE CAUTION ACT OF 2023;

8 H.R. 784 (FULCHER), THE INTERNET APPLICATION I.D. ACT;

9 H.R. 742 (DUNCAN), THE TELL ACT;

10 H.R. 813 (PENCE), THE GLOBAL INVESTMENT IN AMERICAN JOBS ACT  
11 OF 2023;

12 H.R. 752 (ESHOO), THE SECURING SEMICONDUCTOR SUPPLY CHAINS  
13 ACT OF 2023;

14 H.R. 1068 (BUCSHON), THE SECURING AMERICA'S CRITICAL MINERALS  
15 SUPPLY ACT;

16 H.R. 1121 (DUNCAN), THE PROTECTING AMERICAN ENERGY PRODUCTION  
17 ACT;

18 H.R. 1085 (LATTA), THE REFINER ACT;

19 H.R. 1058 (ARMSTRONG), THE PROMOTING CROSS-BORDER ENERGY  
20 INFRASTRUCTURE ACT;

21 H. CON. RES. 14 (LESKO), A RESOLUTION DISAPPROVING OF

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22 PRESIDENT BIDEN CANCELING KEYSTONE XL;  
23 H. CON. RES. 17 (GUTHRIE), A RESOLUTION TO SUPPORT AMERICA'S  
24 ENERGY EXPANSION;  
25 H.R. 1130 (JOHNSON), THE UNLOCKING OUR DOMESTIC LNG POTENTIAL  
26 ACT;  
27 H.R. 1115 (BURGESS), THE PROMOTING INTERAGENCY COORDINATION  
28 FOR REVIEW OF NATURAL GAS PIPELINES ACT;  
29 H.R. 1070 (CARTER), A BILL TO STREAMLINE PERMITTING FOR  
30 REFINING CRITICAL MATERIALS;  
31 H.R. 1131 (JOYCE), A BILL TO CUT RED TAPE FOR CRITICAL ENERGY  
32 RESOURCE FACILITIES;  
33 H.R. 1140 (PENCE), A BILL TO UNLOCK CRITICAL ENERGY  
34 MATERIALS;  
35 H.R. 1158 (CURTIS), THE ELIMINATION OF FUTURE TECHNOLOGY  
36 DELAYS ACT;  
37 H.R. 1141 (PFLUGER), THE NATURAL GAS TAX REPEAL ACT;  
38 H.R. 1023 (PALMER), A BILL TO REPEAL SECTION 134 OF THE CLEAN  
39 AIR ACT, RELATING TO THE GREENHOUSE GAS REDUCTION FUND; AND  
40 H.R. 1155 (CRENSHAW), THE KEEPING AMERICA'S REFINERIES ACT  
41 THURSDAY, MARCH 9, 2023  
42 House of Representatives,

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43 Committee on Energy and Commerce,  
44 Washington, D.C.

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51 The committee met, pursuant to call, at 10:05 a.m. in  
52 Room 2123, Rayburn House Office Building, Hon. Cathy McMorris  
53 Rodgers [chair of the committee] presiding.

54

55 Present: Representatives Rodgers, Burgess, Latta,  
56 Guthrie, Griffith, Bilirakis, Johnson, Bucshon, Hudson,  
57 Walberg, Carter, Duncan, Palmer, Dunn, Curtis, Lesko, Pence,  
58 Crenshaw, Joyce, Armstrong, Weber, Allen, Balderson, Fulcher,  
59 Pfluger, Harshbarger, Miller-Meeks, Cammack, Obernolte;  
60 Pallone, Eshoo, DeGette, Schakowsky, Matsui, Castor,  
61 Sarbanes, Tonko, Clarke, Cardenas, Ruiz, Peters, Dingell,  
62 Veasey, Kuster, Kelly, Barragan, Blunt Rochester, Soto,  
63 Craig, Trahan, and Fletcher

64

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65           Staff Present: Sarah Alexander, Professional Staff  
66 Member, Energy and Environment; Sean Brebbia, Chief Counsel,  
67 Oversight & Investigations; Jolie Brochin, Clerk, Health;  
68 Sarah Burke, Deputy Staff Director; Michael Cameron,  
69 Professional Staff Member, IDC; Jerry Couri, Deputy Chief  
70 Counsel for Environment; Lauren Eriksen, Clerk, O&I; Jack  
71 Heretik, Press Secretary; Jessica Herron, Clerk, IDC; Nate  
72 Hodson, Staff Director; Tara Hupman, Chief Counsel; Noah  
73 Jackson, Clerk, C&T; Sean Kelly, Press Secretary; Peter  
74 Kielty, General Counsel; Emily King, Member Services  
75 Director; Elise Krekorian, Professional Staff Member, Energy;  
76 Tim Kurth, Chief Counsel, IDC; Mary Martin, Chief Counsel,  
77 Energy & Environment; Jacob McCurdy, Professional Staff  
78 Member, Energy; Brandon Mooney, Deputy Chief Counsel, Energy;  
79 Kaitlyn Peterson, Clerk, Energy & Environment; Karli Plucker,  
80 Director of Operations; Carla Rafael, Senior Staff Assistant;  
81 Brannon Rains, Professional Staff Member, IDC; Emma  
82 Schultheis, Staff Assistant; Olivia Shields, Communications  
83 Director; Peter Spencer, Senior Professional Staff Member,  
84 Energy; Lacey Strahm, Fellow, IDC; Michael Taggart, Policy  
85 Director; Teddy Tanzer, Senior Counsel, IDC; Dray Thorne,

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86 Director of Information Technology; Hannah Anton, Minority  
87 Staff Assistant; Ian Barlow, Minority FTC Detailee; Timia  
88 Crisp, Minority Professional Staff Member; Waverly Gordon,  
89 Minority Deputy Staff Director and General Counsel; Daniel  
90 Greene, Minority Professional Staff Member; Tiffany  
91 Guarascio, Minority Staff Director; Anthony Gutierrez,  
92 Minority Professional Staff Member; Caitlin Haberman,  
93 Minority Staff Director, Environment, Manufacturing, and  
94 Critical Minerals; Perry Hamilton, Minority Member Services  
95 and Outreach Manager; Lisa Hone, Minority Chief Counsel,  
96 Innovation, Data, and Commerce; Mackenzie Kuhl, Minority  
97 Digital Manager; Joe Orlando, Minority Senior Policy Analyst;  
98 Kris Pittard, Minority Professional Staff Member; Greg Pugh,  
99 Minority Staff Assistant; Caroline Rinker, Minority Press  
100 Assistant; Kylea Rogers, Minority Policy Analyst; Andrew  
101 Souvall, Minority Director of Communications, Outreach, and  
102 Member Services; Medha Surampudy, Minority Professional Staff  
103 Member; Rebecca Tomilchik, Minority Junior Professional Staff  
104 Member; Tuley Wright, Minority Staff Director, Energy,  
105 Climate, and Grid Security; and C.J. Young, Minority Deputy  
106 Communications Director.

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108           \*The Chair. Welcome to our first full committee  
109 legislative markup of the 118th Congress. We will consider  
110 20 bills from 3 of our subcommittees to help secure our  
111 energy future and global competitive edge.

112           In 15 of the bills we are leading to ensure reliable,  
113 clean, secure, and affordable delivery of energy. Energy is  
114 foundational to everything. For centuries, it has driven  
115 human progress and development, and it is why America has  
116 done more to lift people out of poverty and raise the  
117 standard of living more than anywhere else. According to  
118 data from 2017, 3.7 billion people are living in energy  
119 poverty. That is half the world. They have a 10-year lower  
120 life expectancy, 35 percent fewer years of education, and  
121 many don't have electricity at all.

122           Our goal today is to celebrate how abundant energy  
123 resources have unleashed prosperity and invited people from  
124 across the globe to come to America to achieve their hopes  
125 and dreams. We have accomplished this as a leader in  
126 reducing emissions, with the highest environmental and labor  
127 standards in the world. We cannot afford to move backwards  
128 with a reckless command and control, so-called climate agenda

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129 that forces people to pay more and go without reliable  
130 energy.

131           Unfortunately, that is what we see right now, and what  
132 President Biden has pursued since his first day in office.  
133 From the gas station to the grocery store, his war on  
134 American energy is making life harder and more expensive for  
135 the hardworking people of this country. Families, on  
136 average, have been forced to pay \$10,000 more over the last 2  
137 years for everyday goods and services. More than a third of  
138 households say they have forgone food and medicine in order  
139 to pay their energy bills. It shouldn't be this way.

140           President Biden is also weakening our security, and  
141 making us dangerously dependent and reliant on China's supply  
142 chains that are more harmful to the environment and use slave  
143 labor. China's overall share of energy minerals processing  
144 surpasses OPEC's share of oil markets in many key areas, from  
145 40 percent to 100 percent of key materials and processing.  
146 DoE has noted that China's control of key materials in  
147 renewable energy is "across the board."

148           To win the future, we cannot allow our energy security  
149 to be surrendered to the CCP. Our energy and climate

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150 solutions before us today are just the beginning of our work  
151 to unleash American energy, lower costs, and secure our  
152 supply chains. We want to lift barriers to expanding our  
153 energy supplies, remove red tape over exportation and  
154 importation of LNG, and build more pipelines with our North  
155 American allies and across the states.

156 We also want to repeal taxes that will harm communities,  
157 shut down production, and raise prices across the entire  
158 economy.

159 We are leading to prevent bans on key energy  
160 technologies and stop the Administration from closing off  
161 markets that would increase prices even more.

162 All of this will help open critical markets for energy  
163 to boost production, and help drive down cost.

164 Other bills focus on securing critical energy materials  
165 to be less reliant on Chinese supply chains. That includes  
166 bolstering the Department of Energy's responsibilities to  
167 assess, identify, and address supply chain vulnerabilities.

168 Further, several bills today reduce regulatory red tape  
169 for onshoring critical minerals, processing and refining  
170 facilities without compromising environmental protections.

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171 That is how we beat China and advance prosperity for America.

172 In addition to these energy and environment bills, we  
173 are also taking action on several solutions from our  
174 Innovation Data and Commerce Subcommittee. We know that the  
175 CCP wants to replace us as a global economic and  
176 technological leader. We must protect American data from  
177 CCP's malicious behaviors, and make sure technologies of  
178 tomorrow are developed with our values. That is why we are  
179 leading on five solutions that will bolster our competitive  
180 edge, and help secure people's personal information from the  
181 CCP.

182 Overall, I look forward to our markup today, and I thank  
183 all of my colleagues for their work. We have a long list of  
184 bills to work through, and I know we will improve the lives  
185 of those we serve and secure a better future here at home.  
186 Thank you.

187 I now recognize the gentleman from New Jersey,  
188 Representative Pallone, for five minutes for an opening  
189 statement.

190 \*Mr. Pallone. Thank you, Madam Chairwoman.

191 Today committee Republicans are continuing to push

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192 forward their partisan agenda and undermining our nation's  
193 bedrock environmental laws in the process. Republicans love  
194 to talk about taking an all-of-the-above approach to building  
195 out our energy assets, but none of the bills we are marking  
196 up today address or even reference clean energy.

197         Instead, Republicans are rushing through eight partisan  
198 energy bills that have no chance of ever becoming law. Many  
199 of these are the same bills that Republicans pushed through  
200 the last time they were in charge of the House, back when  
201 there was a Republican President and a Republican-controlled  
202 Senate, and they still couldn't get this legislation over the  
203 finish line. But here they are again, attempting to move the  
204 same old bills.

205         And this is not serious legislating, in my opinion.  
206 Republicans are posturing to their big oil and gas friends,  
207 at the detriment of the American people.

208         H.R. 1058 is nothing more than a shadow approval of the  
209 Keystone pipeline. It establishes that every single cross-  
210 border energy project is assumed to be in the public  
211 interest, unless proven otherwise, a pretty major assumption  
212 for Republicans to make unilaterally.

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213 H.R. 1130 removes the requirement that the Department of  
214 Energy determine that LNG exports are within the public  
215 interest. This Republican bill will lead to more American  
216 LNG being sent to China. And again, so much for Republican  
217 claims of being tough on China.

218 Meanwhile, the seven environmental bills we are marking  
219 up today endanger the health and safety of the communities we  
220 represent.

221 H.R. 1155 would circumvent consideration of safer  
222 technologies to avoid chemical disasters.

223 H.R. 1158 seeks to undercut the Toxic Substances Control  
224 Act, or TSCA, updates that were developed and passed on a  
225 bipartisan basis by this committee in the Frank Lautenberg  
226 Act in 2016. TSCA is the best tool we have for protecting  
227 our communities from toxic chemical exposure, and it is  
228 disturbing that Republicans are now looking to undermine the  
229 very law we all worked so hard to update six years ago on a  
230 bipartisan basis.

231 Three of the bills would trade away public health  
232 protections to further subsidize polluters.

233 H.R. 1140 sets a dangerous precedent by allowing the

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234 Environmental Protection Agency to waive any clean air  
235 requirements fee or standard for any critical energy  
236 resource.

237 H.R. 1070 grants Solid Waste Disposal Act permits to  
238 owners or operators of critical energy resource facilities  
239 without requiring basic public health and environmental  
240 safety standards.

241 And H.R. 1131 would automatically grant a flexible air  
242 permit to every industrial facility linked to critical energy  
243 resources, even those with abysmal track records of Clean Air  
244 Act violations.

245 Two bills would repeal programs enacted by the Inflation  
246 Reduction Act, programs that would reduce pollution, lower  
247 the deficit, and leverage private sector investments in clean  
248 energy projects.

249 H.R. 1023 would revoke the Greenhouse Gas Reduction  
250 Program, which invests \$27 billion to rapidly deploy low and  
251 zero-emission technologies.

252 H.R. 1141 targets the Methane Emission Reduction  
253 Program, which, at its core, ensures polluters pay for wasted  
254 methane, and not customers.

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255           Now, taken together, these bills make clear that  
256   Republicans refuse to hold polluters accountable for the  
257   damages they cause to our air, our water, our communities,  
258   and our climate. While Democrats delivered historic wins for  
259   the American people by passing historic climate legislation,  
260   legislation that has already created more than 100,000 good-  
261   paying, clean energy jobs, Republicans are here today  
262   actively working to undermine that progress and do the  
263   bidding of their polluter friends, and I oppose all of these  
264   bills.

265           We will also mark up five bills from Innovation Data and  
266   Commerce Subcommittee. I support two of the bills that  
267   direct the Department of Commerce to prepare reports  
268   regarding ways to strengthen U.S. competitiveness. I also  
269   support legislation requiring mobile applications that are  
270   banned on Federal devices to clearly disclose that  
271   information to all users who download or update the  
272   applications.

273           We will also consider two bills focused on data  
274   disclosure. While I support giving consumers access to  
275   information about their data, I remain concerned that these

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276 particular bills have been rushed through the legislative  
277 process without proper consideration of whether the required  
278 disclosures will be useful or just confusing to consumers or,  
279 even worse, I worry that they could contribute to notice  
280 fatigue, reducing the likelihood that consumers will actually  
281 focus on the disclosures when they receive them.

282 I continue to believe that we must work together to  
283 protect consumers' data privacy, and I look forward to  
284 working together to achieve those shared goals.

285 And with that, Madam Chairwoman, I yield back the  
286 balance of my time.

287 \*The Chair. Chair reminds the members that, pursuant to  
288 the committee rules, all members' opening statements will be  
289 made part of the record.

290 Are there further opening statements?

291 The gentleman from South Carolina, Mr. Duncan, is  
292 recognized for three minutes for an opening statement.

293 \*Mr. Duncan. I am excited to be here at our first full  
294 committee markup to take up a set of bills we moved through  
295 regular order and out of the Energy, Climate, and Grid  
296 Security Subcommittee last week. These bills will help

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297 increase American energy production, restore our energy  
298 leadership for the United States of America.

299       The United States has an incredible energy potential.  
300 We have vast resources of oil, natural gas, and other  
301 critical minerals essential for energy dominance. Only a few  
302 years ago, we achieved energy independence, which benefits  
303 our economic and national security. There is no national  
304 security without energy security.

305       Unfortunately, the energy agenda imposed by the Biden  
306 Administration in the last couple of years has  
307 disincentivized private-sector investment in our energy  
308 infrastructure by implementing a top-down government  
309 regulation on the energy sector. This has led to decreased  
310 energy production, energy infrastructure development.

311       In fact, according to the Energy Information  
312 Administration, in 2022 the least amount of interstate  
313 natural gas pipeline capacity was added since it began  
314 tracking that data in 1995. This is a direct consequence of  
315 the Biden Administration's anti-energy policies.

316       My state of South Carolina has seen its population grow  
317 in recent years because it has been a haven for

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318 manufacturing. We worry if we can maintain this reputation  
319 over the next several years, solely due to the inability to  
320 build out essential energy infrastructure. We have an  
321 abundance of natural gas in the northeast and Appalachia,  
322 but, unfortunately, under the current regulatory structure,  
323 it only takes one state to block access to this safe,  
324 reliable energy source, and that will ensure continued growth  
325 and prosperity in my state. And this issue is not unique to  
326 South Carolina.

327         The good news is that Republicans have solutions to  
328 reassert our energy dominance and lower prices. The energy  
329 bills we are taking up today will protect American energy  
330 production from Federal bans. It will work to ease the  
331 energy infrastructure permitting from pipelines to cross-  
332 border infrastructure. It ensures the importance of American  
333 energy exports around the world; assess our critical energy  
334 resources supply chains, which are key to wind, solar,  
335 batteries, and EV technologies; explore ways to expand U.S.  
336 refining capacity; and condemn the actions of the Biden  
337 Administration and cancellation of Keystone pipeline.

338         We all agree that affordable, reliable, resilient, and

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339 sustainable energy is essential for all Americans. It is  
340 time to work toward that goal by increasing American energy  
341 production and restoring our energy leadership.

342 I urge all my colleagues to support the bills in front  
343 of us today so that we can achieve this goal, and I yield  
344 back.

345 \*The Chair. The gentleman yields back. I now recognize  
346 the Ranking Member DeGette for her opening statement, three  
347 minutes.

348 \*Ms. DeGette. I thank the gentlelady, and I have got to  
349 say I am a bit disappointed with the bills that we are  
350 considering today, because almost all of the 20 bills are  
351 partisan messaging bills that are just being rammed through  
352 the committee.

353 Eight of the bills are from the Energy Subcommittee and,  
354 unfortunately, all of them are partisan. The minority was  
355 not consulted on a single one of them, and it was almost  
356 unanimously opposed by all the Democrats last week. I  
357 suspect that will be the case again today.

358 These bills that my colleagues claim would make the  
359 United States energy independent and bring down the cost of

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360 energy, but, in fact, they would not achieve these goals.

361 They wouldn't bring down the cost of energy at home. They

362 wouldn't increase our nation's energy security, and they

363 wouldn't strengthen our critical energy infrastructure.

364 And the reason why -- and forgive me if I am sounding

365 like a broken record, but I keep saying this -- the oil

366 market is an international market whose prices are subject to

367 the volatility of the international market, and these bills

368 would embrace that volatile market and make natural gas

369 prices at home vulnerable to the same fluctuations in the

370 international market. And so that is why we can't drill our

371 way to energy independence.

372 These bills would only further our dependence on oil and

373 gas, and they don't do anything more than -- a giveaway to

374 the oil and gas industry, which once again is bringing in

375 record profits.

376 H.R. 1130, the Unlocking our Domestic LNG Potential Act,

377 would repeal a public interest determination required for the

378 export of U.S. LNG, making American natural gas further

379 subject to the volatility of the global market, which only

380 will destabilize prices here at home.

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381 H.R. 1115, the Promoting Interagency Coordination Review  
382 for Natural Gas Pipelines Act (sic) would essentially require  
383 FERC to rubber-stamp the construction of new natural gas  
384 pipelines, while running roughshod over the ability of other  
385 agencies to review its work.

386 And two pieces of legislation, H.R. 1058 and H. Con.  
387 Res. 14, would attempt to revive the Keystone XL pipeline,  
388 which was terminated nearly two years ago. And so those are  
389 the energy bills.

390 From the Environment Subcommittee we have got seven  
391 partisan bills that would gut our bedrock environmental laws  
392 that protect the air we breathe and the water that we drink.  
393 These are another gift to the oil and gas industry, and they  
394 are going to undo critical programs that will put us on the  
395 path to a better future.

396 And so the bills that we have today, they don't do  
397 anything to protect our environment or ensure energy  
398 security. Instead, they just send a message to the oil and  
399 gas industry that they get to call the shots.

400 But being an optimist, I have a word of positive thought  
401 to say. We are getting these messaging bills out of the way.

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402 I think that is a good thing, because maybe after this we can  
403 actually get down to the business of legislating in a  
404 bipartisan way to have a clean energy future, to have energy  
405 independence, and to begin to bend the climate curve.

406 And with that, Madam Chair, I yield back.

407 \*The Chair. The chair now recognizes the chairman of  
408 the Innovation Subcommittee, Mr. Bilirakis, for three  
409 minutes --

410 \*Mr. Bilirakis. Thank you.

411 \*The Chair. -- opening statement.

412 \*Mr. Bilirakis. Thank you, I appreciate it, Madam  
413 Chair. I want to thank you again for your including these  
414 bills, the five Innovation Data and Commerce Subcommittee  
415 bills, on today's markup, some of which have been introduced  
416 and circulated for years, and finally get -- they are getting  
417 a vote out of committee. So we appreciate that very much.

418 The bills we are considering today are essential to  
419 cementing American energy -- American energy -- American  
420 leadership in technology, and providing Americans with  
421 greater transparency regarding the websites and applications  
422 they use.

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423 Americans are the most innovative people in the world.  
424 Nobody can dispute that. And we must eliminate government  
425 barriers to ensure Americans have -- the innovators are  
426 empowered to push the frontiers of innovation. One way to do  
427 this is to encourage foreign direct investment from  
428 responsible and trusted countries. Another way is to  
429 increase transparency by providing consumers with the  
430 information they need to make informed decisions.

431 I want to thank Mr. Pence, my good friend, and for his  
432 -- I want to thank him for his leadership on the global  
433 investment in America, the Jobs Act. This bill will help us  
434 understand the barriers to increasing investment from  
435 friendly nations, and ultimately lead the globe in emerging  
436 technologies.

437 I also want to thank my friend, Ms. Cammack from the  
438 great state of Florida, for her bipartisan work with Mr.  
439 Soto, also from Florida, on the CAUTION Act, which requires  
440 app stores to clearly disclose if an app has been banned on  
441 Federal devices. Pretty clear. Americans should know when  
442 they are downloading an application deemed a security threat  
443 by the Federal Government.

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444 Mr. Fulcher's bill, the Internet App ID Act, would  
445 require apps to disclose if they are owned by the CCP or a  
446 business domiciled in the People's Republic of China.  
447 Failure to disclose Chinese ownership would be subject to  
448 penalties enforced by the Federal Trade Commission. And Mr.  
449 Fulcher's bill -- he has an amendment that I support. It  
450 tightens up the bill a little bit, so he will actually  
451 disclose that.

452 So next is the TELL Act, introduced by Representative  
453 Duncan, and would require tech companies to notify their  
454 users if their platform stores data in the People's Republic  
455 of China. If an app or a website is sending or storing data  
456 in China, Americans should know. Of course they should.

457 As we continue to advance legislation to improve  
458 American competitiveness on the world stage, I want to  
459 re-emphasize this committee's priority to pass a national  
460 privacy and data security law. We are committed to getting  
461 that legislation across the finish line.

462 So, in my opinion, these are bipartisan bills, and we  
463 should have a unanimous vote out of this committee.

464 So I appreciate you, Madam Chair, and I yield back the

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465 balance of my time.

466 \*The Chair. Further opening statements? The ranking  
467 member, are you ready?

468 No? Oh, okay.

469 Mr. Tonko is the Environment Subcommittee Ranking  
470 Member, he is recognized for three minutes, opening  
471 statement.

472 \*Mr. Tonko. Thank you, Madam Chair. While I appreciate  
473 the opportunity for us to consider these bills through  
474 regular order, I have major concerns with the energy and  
475 environmental bills that will be before us.

476 I know that several members on both sides of the aisle  
477 would like to have a serious conversation about permitting  
478 reform. But unfortunately, these bills are not the basis for  
479 that discussion. All seven of the bills advanced by the  
480 Environment Subcommittee were on party line votes, and are  
481 destined to be ignored by the Senate.

482 Two of those bills, H.R. 1023 and H.R. 1141, would  
483 repeal provisions of the Inflation Reduction Act, the  
484 Greenhouse Gas Reduction Fund, and the Methane Emissions  
485 Reduction Program. These are two of the most important

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486 provisions for achieving the pollution reduction goals of the  
487 IRA. The GHG Reduction Fund, in particular, is essential to  
488 ensuring that our clean energy transition benefits all  
489 Americans by enabling low-income households and disadvantaged  
490 and rural communities to more easily access project funding  
491 and financing opportunities.

492 Four of the other bills -- H.R. 1070, H.R. 1131, H.R.  
493 1140, and H.R. 1158 -- would create new loopholes in our --  
494 some of our nation's most important environmental laws for  
495 the benefit of broadly-defined "critical energy resources."

496 I suspect we will hear the term "critical energy  
497 resources" be used interchangeably with critical minerals by  
498 our majority colleagues, and I do believe we would actually  
499 find some common ground on the need to explore policies that  
500 will lead to more resilient and sustainable supply chains for  
501 critical minerals. That is a worthy conversation, but this  
502 is not the purpose of the bills before us. These bills, as  
503 drafted, go well beyond the limited and knowable list of  
504 critical minerals. Critical energy resources would allow  
505 coal, gas, and oil to receive special treatment, and the  
506 ability to skirt fundamental environmental protections.

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507           If members want to work together on critical mineral  
508 issues, I would welcome that. But I have no interest in  
509 giving sweetheart deals to the fossil fuel companies under  
510 the guise of our national critical mineral needs.

511           Our environmental laws exist to protect Americans from  
512 harmful pollution, and they have a strong track record of  
513 success, improving public health and addressing climate  
514 change while preserving energy security and growing our  
515 economy. Unfortunately, the bills from the environmental  
516 subcommittee are not going to protect our constituents' air  
517 and water, and therefore I must urge their opposition today.

518           With that, Madam Chair, I yield back.

519           \*The Chair. The gentleman yields back. I now recognize  
520 the chairman of the Environment Subcommittee, Mr. Johnson,  
521 for three minutes for the purpose of an opening statement.

522           \*Mr. Johnson. Thank you, Madam Chair. Last week the  
523 Subcommittee on Environment, Manufacturing, and Critical  
524 Materials favorably forwarded seven bills to the full  
525 committee for consideration, and each of those bills will be  
526 marked up today.

527           These bills are part of an effort to end the outsourcing

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528 of our long and -- or short and long-term energy security  
529 needs to foreign countries, particularly those that don't  
530 like us very much, and actively leverage their resources  
531 against the United States and its allies.

532 Before critics claim these bills would harm the  
533 environment, I want to ask a few questions and ask them to  
534 consider this.

535 Is the goal to lower emissions or to eliminate specific  
536 types of energy sources?

537 Does outsourcing mining and manufacturing activities for  
538 green technologies to countries with poor environmental and  
539 labor standards improve the environment?

540 Can America have reliable, resilient, available, and  
541 affordable energy for our grid and transportation if we don't  
542 have the energy resources to make that a reality?

543 And will we do anything to solve that issue?

544 We have learned over the last few years that we need to  
545 do something more than just throw money at a problem. Today  
546 we will do just that.

547 For instance, Representative Carter's bill addressing  
548 permitting for refining and processing of critical energy

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549 resources. Right now there is no refining of critical  
550 minerals in the United States.

551 Representative Curtis's legislation addresses innovation  
552 in cleaner energy systems, technology, and sources that are  
553 currently languishing on the desks of bureaucrats at the EPA.

554 On the issue of national security, Rep. Pence's  
555 legislation gives the EPA explicit, though limited, authority  
556 to address both energy and national security needs. This  
557 legislation is patterned after the Federal Power Act, and is  
558 in line with 22 other waiver authorities in the Clean Air  
559 Act.

560 Mr. Crenshaw's bill tackles the practical and economic  
561 problems posed by an EPA regulation on gasoline refining that  
562 could intentionally destroy our domestic refining capacity,  
563 and increase prices at the pump.

564 For synchronizing U.S. energy spending and policy, we  
565 are considering legislation to clarify the use of EPA's  
566 existing flexible permit program for critical energy  
567 resources and the natural gas tax, and address the Democrats'  
568 big green slush fund that was jammed through the last  
569 reconciliation package.

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570           Madam Chair, I want to clarify that this isn't all that  
571 needs to be done in these and other areas to better unleash  
572 American energy, reinvigorate innovation in energy  
573 technologies, and bolster our domestic supply chains. But it  
574 is a big step in the right direction. I look forward to  
575 reporting these bills to the House floor, and working with  
576 members on both sides to address these challenges and more  
577 going forward.

578           And with that, I yield back whatever remaining time I  
579 have, Madam Chair.

580           \*The Chair. The gentleman yields back. Are there  
581 further opening statements?

582           No further opening statements?

583           The chair calls up H.R. 750, and asks the clerk to  
584 report.

585           \*The Clerk. Committee print of H.R. 750, as forwarded  
586 by the Subcommittee of Innovation, Data, and Commerce, to  
587 require any person that sells --

588           \*The Chair. Without objection, the first reading of the  
589 bill is dispensed with. The bill will be open for amendments  
590 at any order -- at any point.

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591           So ordered.

592           [The bill follows:]

593

594           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

595

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596 \*The Chair. Does anyone seek to be recognized?

597 \*Mrs. Cammack. Thank you, Chairwoman Rodgers. I have  
598 an amendment at the desk.

599 \*The Chair. For what purpose does the gentlelady seek  
600 recognition?

601 \*Mrs. Cammack. I have an amendment at the desk.

602 \*The Clerk. Amendment in the nature of a substitute to  
603 H.R. 750, offered by Mrs. Cammack. Strike all after the  
604 enacting clause, and insert the following. Section 1, short  
605 title. This act may be cited as the Chinese-Owned  
606 Applications Using the Information of Our Nation Act --

607 \*The Chair. Okay, dispense with the reading, please,  
608 Madam Clerk.

609 [The amendment of Mrs. Cammack follows:]

610

611 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

612

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613           \*The Chair. And without objection, the lady is  
614 recognized for five minutes.

615           \*Mrs. Cammack. Thank you, Chairwoman Rodgers, for  
616 holding this markup today to consider a number of very  
617 important pieces of legislation. I am glad that we are  
618 considering the CAUTION Act, which I am proud to lead with my  
619 friend and colleague from Florida, Mr. Soto.

620           TikTok, which is owned by Bytedance, a privately-held  
621 company that is headquartered in Beijing, has become a topic  
622 of recent discussion. However, one important fact to  
623 remember about the so-called private companies in China is  
624 that there is nothing private about them at all. Every  
625 single technology company operating in China is subject to  
626 Chinese laws which require companies to provide user data to  
627 the CCP. In short, the government owns them and, by  
628 extension, everything they collect data on.

629           Just yesterday, FBI Director Chris Wray testified in an  
630 open Senate Intelligence Committee hearing, and discussed  
631 threats TikTok poses to national security. When asked by my  
632 fellow Floridian, Senator Marco Rubio, the FBI director  
633 discussed how CCP could use TikTok to control data on

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634 millions of Americans, to control software on millions of  
635 Americans' devices, and to use the app to drive narratives  
636 that divide Americans against each other.

637 On December 29th of 2022, recognizing the security risks  
638 of TikTok, the President signed into law the No TikTok on  
639 Government Devices Act, which prohibits TikTok from being  
640 downloaded or used on any device issued by the United States  
641 Government or a government corporation.

642 The bill we are considering today, the CAUTION Act,  
643 would build off the prohibition of TikTok on Federal devices  
644 to inform consumers of the security risks posed by using this  
645 app. Specifically, this bill would require any person who  
646 sells or distributes TikTok to disclose the use of the  
647 application as prohibited on government-owned devices under  
648 law in a clear and conspicuous manner before any individual  
649 downloads or updates the application. The FTC would enforce  
650 this requirement under the bill.

651 Every single person using TikTok in the United States,  
652 at minimum, deserves to know that the Federal Government has  
653 banned the use of the app on Federal devices due to  
654 legitimate security risks.

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655           Again, I would like to thank Mr. Soto for helping lead  
656 this effort with me, and would like to thank Chair Rodgers  
657 for considering the CAUTION Act in today's markup.

658           I encourage all of my colleagues and members of this  
659 committee to support it, and I yield back.

660           \*The Chair. The gentlelady yields back. Is there a  
661 discussion of the amendment, further discussion?

662           The gentleman from California, Mr. Obernolte, you are  
663 recognized for five minutes.

664           \*Mr. Obernolte. Thank you very much, Madam Chair. I  
665 move to strike the last word.

666           \*The Chair. The gentleman is recognized.

667           \*Mr. Obernolte. I share very much the author's concerns  
668 about the privacy implications of Americans' data being  
669 collected and stored in China. Certainly, we had those  
670 concerns about TikTok. I am looking forward to questioning  
671 the President of TikTok when we have him in our hearing here  
672 shortly.

673           We took the step of banning TikTok from government-owned  
674 devices, which I think was very appropriate, and we did that  
675 out of an abundance of caution, because even though we don't

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676 really have constructive knowledge that that data is being  
677 acquired by TikTok, we are concerned enough about it to take  
678 that step. But this bill, I do have some concerns about.

679 First of all, I tend to be a little skeptical of  
680 government-required warning notices in general. But I feel  
681 like, if we are going to warn people about something, we need  
682 to be very clear about what we are warning them about, and  
683 why it is important for them to know this.

684 This bill would simply require app stores to notify  
685 people before they download an app like TikTok that has been  
686 banned on ungoverned devices that the app is banned on  
687 government devices. It gives them no useful knowledge about  
688 what they should be concerned about.

689 If you own a restaurant, and you are in a place where I,  
690 like, live, where it might have snow and ice on a deck and it  
691 might be slippery, if you tell people, "If there is ice on  
692 the deck, please be careful, it is slippery, don't fall,"  
693 that that gives people useful information about why they  
694 should be concerned, and what they should do. Merely telling  
695 people that the government has banned an app on government-  
696 owned devices doesn't provide that information.

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697           And in fact, as an app developer myself, I can tell you  
698 I have thought a lot about consumer behavior. I can tell you  
699 that there, in our youthful generation, is a strong  
700 anti-authoritarian streak. I am concerned that perhaps this  
701 would incentivize more of our youth to download the app.

702           Even if this was effective in discouraging the use of  
703 TikTok, I am concerned that it is easily evaded. Bytedance  
704 could just simply publish a new app called TikTak -- well,  
705 probably not, that is trademarked, probably, but TockTick,  
706 something like that. It changed the name, and in that way it  
707 would no longer be on the list, and they could continue doing  
708 that until we passed a more comprehensive solution. And I  
709 would certainly not bet on the ability of the United States  
710 Congress to be more nimble than a private company in keeping  
711 ahead of requirements like that.

712           So I share the author's concerns about this. I think  
713 the real solution is that we need comprehensive Federal  
714 digital data privacy legislation. And I know the Chair has  
715 been working hard on this. I know the committee has been  
716 working hard on it. I am very hopeful that legislation like  
717 that will pass out of the committee and pass the Congress

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718 this year, because this is the way to solve this problem.

719 I am concerned that just putting a warning notice on it  
720 creates a meaningless barrier without actually solving the  
721 problem, and that is why I am in respectful opposition.

722 I yield back.

723 \*The Chair. Further discussion on the amendment?

724 Mr. Walberg from -- the gentleman from Michigan.

725 \*Mr. Walberg. Thank you, Madam Chairwoman.

726 You know, I share some of those same concerns, but I  
727 also see this legislation as an important step. We all know  
728 that TikTok is a threat to our national security, its  
729 privacy, and the well-being of our young people.  
730 Unfortunately, we have only banned its use on Federal  
731 devices. A clear and conspicuous notification to all new and  
732 current users would go a long way, at least in starting to  
733 convince people to reconsider the use of the app, and to  
734 force us, even on this committee, to do still more,  
735 especially in relationship to what we must know about China's  
736 intentions related to the U.S. and the world.

737 Yesterday, for example, Michigan finally banned the use  
738 of TikTok on state-issued devices. After letters coming from

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739 my colleagues in Congress to the administration, it was  
740 finally banned, though Governor Whitmer, unfortunately,  
741 exempted herself from that ban for promotional purposes only.  
742 That shows that there can be a sieve that will continue, and  
743 I think further pressure that comes with us taking action,  
744 highlighting the problem that we are experiencing, and noting  
745 that the vast majority of states who have taken the same step  
746 are presenting this to their people, as well.

747         It is a constant battle. We have to constantly be up to  
748 date on it. We know that the Chinese and other bad actors  
749 will find other ways around, but that shouldn't stop us from  
750 doing what we can at the present. So I certainly support  
751 this legislation, and support further steps as we move along,  
752 and hope that my governor will figure out something better  
753 than just promotional purposes to justify her staying on a  
754 danger to security in our state and in our country.

755         Thank you, I yield back.

756         \*The Chair. Is there further discussion?

757         Seeing none, if there is no further discussion, the vote  
758 occurs on the amendment.

759         All those in favor shall signify by saying aye.

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760 Those opposed, nay.

761 The ayes have it, the amendment is agreed to.

762 The question now occurs on approving H.R. 750, as  
763 amended.

764 All those in favor say aye -- or you already did that.  
765 Okay. Oh, so this is on final passage now. The question now  
766 occurs on approving H.R. 750. We have requested a roll call  
767 vote. The clerk will call the roll.

768 \*The Clerk. Rodgers?

769 \*The Chair. Aye.

770 \*The Clerk. Rodgers votes aye.

771 Burgess?

772 \*Mr. Burgess. [Inaudible.]

773 \*The Clerk. Burgess votes aye.

774 Latta?

775 \*Mr. Latta. Aye.

776 \*The Clerk. Latta votes aye.

777 Guthrie?

778 \*Mr. Guthrie. Aye.

779 \*The Clerk. Guthrie votes aye.

780 Griffith?

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781           \*Mr. Griffith. Aye.  
782           \*The Clerk. Griffith votes aye.  
783           Bilirakis?  
784           \*Mr. Bilirakis. Aye.  
785           \*The Clerk. Bilirakis votes aye.  
786           Johnson?  
787           \*Mr. Johnson. Aye.  
788           \*The Clerk. Johnson votes aye.  
789           Bucshon?  
790           \*Mr. Bucshon. Aye.  
791           \*The Clerk. Bucshon votes aye.  
792           Hudson?  
793           \*Mr. Hudson. Aye.  
794           \*The Clerk. Hudson votes aye.  
795           Walberg?  
796           \*Mr. Walberg. Aye.  
797           \*The Clerk. Walberg votes aye.  
798           Carter?  
799           \*Mr. Carter. Aye.  
800           \*The Clerk. Carter votes aye.  
801           Duncan?

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802           \*Mr. Duncan. Duncan, aye.  
803           \*The Clerk. Duncan votes aye.  
804           Palmer?  
805           [No response.]  
806           \*The Clerk. Dunn?  
807           [No response.]  
808           \*The Clerk. Curtis?  
809           \*Mr. Curtis. Aye.  
810           \*The Clerk. Curtis votes aye.  
811           Lesko?  
812           \*Mrs. Lesko. Aye.  
813           \*The Clerk. Lesko votes aye.  
814           Pence?  
815           \*Mr. Pence. Aye.  
816           \*The Clerk. Pence votes aye.  
817           Crenshaw?  
818           \*Mr. Crenshaw. Aye.  
819           \*The Clerk. Crenshaw votes aye.  
820           Joyce?  
821           \*Mr. Joyce. Aye.  
822           \*The Clerk. Joyce votes aye.

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823 Armstrong?  
824 \*Mr. Armstrong. Yes.  
825 \*The Clerk. Armstrong votes aye.  
826 Weber?  
827 \*Mr. Weber. Aye.  
828 \*The Clerk. Weber votes aye.  
829 Allen?  
830 \*Mr. Allen. Aye.  
831 \*The Clerk. Allen votes aye.  
832 Balderson?  
833 \*Mr. Balderson. Aye.  
834 \*The Clerk. Balderson votes aye.  
835 Fulcher?  
836 \*Mr. Fulcher. Fulcher is aye.  
837 \*The Clerk. Fulcher votes aye.  
838 Pfluger?  
839 \*Mr. Pfluger. Aye.  
840 \*The Clerk. Pfluger votes aye.  
841 Harshbarger?  
842 \*Mrs. Harshbarger. [Inaudible.]  
843 \*The Clerk. Harshbarger votes aye.

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844 Miller-Meeks?  
845 \*Mrs. Miller-Meeks. [Inaudible.]  
846 \*The Clerk. Miller-Meeks votes aye.  
847 Cammack?  
848 \*Mrs. Cammack. Aye.  
849 \*The Clerk. Cammack votes aye.  
850 Obernolte?  
851 \*Mr. Obernolte. No.  
852 \*The Clerk. Obernolte votes no.  
853 Pallone?  
854 \*Mr. Pallone. Aye.  
855 \*The Clerk. Pallone votes aye.  
856 Eshoo?  
857 \*Ms. Eshoo. Aye.  
858 \*The Clerk. Eshoo votes aye.  
859 DeGette?  
860 \*Ms. DeGette. Aye.  
861 \*The Clerk. DeGette votes aye.  
862 Schakowsky?  
863 \*Ms. Schakowsky. Aye.  
864 \*The Clerk. Schakowsky votes aye.

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865 Matsui?

866 \*Ms. Matsui. Aye.

867 \*The Clerk. Matsui votes aye.

868 Castor?

869 [No response.]

870 \*The Clerk. Sarbanes?

871 \*Mr. Sarbanes. Aye.

872 \*The Clerk. Sarbanes votes aye.

873 Tonko?

874 \*Mr. Tonko. Aye.

875 \*The Clerk. Tonko votes aye.

876 Clarke?

877 \*Ms. Clarke. Aye.

878 \*The Clerk. Clarke votes aye.

879 Cardenas?

880 \*Mr. Cardenas. Aye.

881 \*The Clerk. Cardenas votes aye.

882 Ruiz?

883 [No response.]

884 \*The Clerk. Peters?

885 \*Mr. Peters. Aye.

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886           \*The Clerk. Peters votes aye.  
887           Dingell?  
888           [No response.]  
889           \*The Clerk. Veasey?  
890           \*Mr. Veasey. Aye.  
891           \*The Clerk. Veasey votes aye.  
892           Kuster?  
893           \*Ms. Kuster. Aye.  
894           \*The Clerk. Kuster votes aye.  
895           Kelly?  
896           \*Ms. Kelly. [Inaudible.]  
897           \*The Clerk. Kelly votes aye.  
898           Barragan?  
899           \*Ms. Barragan. Aye.  
900           \*The Clerk. Barragan votes aye.  
901           Blunt Rochester?  
902           \*Ms. Blunt Rochester. Aye.  
903           \*The Clerk. Blunt Rochester votes aye.  
904           Soto?  
905           \*Mr. Soto. Aye.  
906           \*The Clerk. Soto votes aye.

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907 Craig?

908 \*Ms. Craig. Aye.

909 \*The Clerk. Craig votes aye.

910 Schrier?

911 [No response.]

912 \*The Clerk. Trahan?

913 \*Mrs. Trahan. Aye.

914 \*The Clerk. Trahan votes aye.

915 Fletcher?

916 \*Mrs. Fletcher. Aye.

917 \*The Clerk. Fletcher votes aye.

918 \*Ms. Castor. [Inaudible.]

919 \*The Clerk. Ms. Castor is not recorded.

920 \*Ms. Castor. Castor votes aye.

921 \*The Clerk. Castor votes aye.

922 \*Mr. Ruiz. How is Ruiz recorded?

923 \*The Clerk. Ruiz is not recorded.

924 \*Mr. Ruiz. Aye.

925 \*The Clerk. Ruiz votes aye.

926 \*The Chair. Are there other members?

927 Okay. If not, the clerk will call the -- will report.

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928 [Pause.]

929 \*The Clerk. Chair Rodgers, on that vote we have 47 ayes  
930 and 1 no.

931 \*The Chair. The ayes have it, and the bill is adopted.  
932 The chair calls up H.R. 704, and asks the clerk to  
933 report.

934 \*The Clerk. H.R. 784, to require any person that  
935 maintains an Internet website or that sells or distributes a  
936 mobile application --

937 \*The Chair. Without objection, the first reading of the  
938 bill is dispensed with, and the bill would be open for  
939 amendments at any porter.

940 \*Mr. Fulcher. Madam Chair?

941 \*The Chair. At any point.

942 So ordered.

943 [The bill follows:]

944

945 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

946

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947 \*The Chair. Does anyone seek to be recognized?

948 \*Mr. Fulcher. Madam Chairman?

949 \*The Chair. There we go. Mr. Fulcher, the gentleman  
950 from Idaho.

951 \*Mr. Fulcher. Thank you, Madam Chair.

952 \*The Chair. For what purpose do you seek --

953 \*Mr. Fulcher. I move to strike the last word, and have  
954 an amendment in the nature of a substitute at the desk.

955 \*The Clerk. Amendment in the nature of a substitute to  
956 H.R. 784, offered by Mr. Fulcher. Strike all after the  
957 enacting clause, and insert the following. Section 1 short  
958 title --

959 \*The Chair. Without objection, the reading of the  
960 amendment is dispensed with.

961 [The amendment of Mr. Fulcher follows:]

962

963 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

964

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965           \*The Chair. The gentleman is recognized for five  
966 minutes to strike the last word.

967           \*Mr. Fulcher. Thank you, Madam Chair. I offer an  
968 amendment to H.R. 784, the Internet Application Integrity and  
969 Disclosure Act, and I want to give a special thank you to  
970 Congressman Chris Pappas in New Hampshire for co-leading, and  
971 his work on this bill.

972           So this was introduced in the Innovation, Data, and  
973 Commerce Subcommittee last month, and it passed by voice.  
974 But there were some that thought that some of the language is  
975 too broad. So we went back to take a closer look at that.  
976 And so this amendment makes some changes, and it tightens the  
977 language to say that the requirement is for a person who  
978 owns, provides, or controls websites, including online  
979 sellers, distributors of web and mobile-based applications to  
980 disclose that those applications are domiciled in China.  
981 That previously was -- that is tightened-up language. That  
982 was previously "located in China," and "maintain those  
983 sites," so this tightens it up significantly.

984           It is basically a warning label to individual users,  
985 business users, Internet servicers, mobile service providers

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986 in disclosing the origin of applications or websites prior to  
987 downloading or using them, particularly if those origin  
988 applications are within the People's Republic of China.

989 And I made this statement last month, I will say it  
990 again: China has earned our distrust. And so applications  
991 that are owned, provided, and controlled in China are often  
992 de facto arms of the CCP, aided by a complex web of laws and  
993 policies that compel organizations to carry out the wishes of  
994 the Chinese Communist Party, and thereby it gives them access  
995 to sensitive information regarding application service  
996 providers and users, including geolocation, online user  
997 patterns, and the content of private user conversations.

998 So the idea with this bill and this amendment is to  
999 protect individuals and businesses who might download such an  
1000 app or use a website, ensuring transparency and disclosure of  
1001 the origin. And Madam Chair and members of the Committee,  
1002 this is important because the Chinese Government has  
1003 infiltrated our private market, and they seek to continue to  
1004 collect information on Americans.

1005 I want to thank the committee for making changes to  
1006 address these entities, making the changes to domicile, to

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1007 own, provide, or control, and putting companies only on the  
1008 hook if they provide false information. Previously, the  
1009 language said misleading or false. We changed that to just  
1010 false, because it is difficult to quantify misleading  
1011 sometimes.

1012 So H.R. 784 adds statutory leverage to ensure people  
1013 know the potential risks of their data and online behavior  
1014 when they download an application owned, provided, or  
1015 controlled by the Chinese Communist Party.

1016 And Madam Chair, I believe we have addressed the  
1017 concerns that were previously discussed on this bill, while  
1018 maintaining its intent. And I fully understand there may be  
1019 more comprehensive solutions moving forward, and when those  
1020 come along I will probably wind up supporting that. But we  
1021 have to start someplace. This is definitely a step in the  
1022 right direction.

1023 With that, I urge passage of my amendment, and yield  
1024 back, Madam Chair.

1025 \*The Chair. The gentleman yields back. Is there  
1026 further discussion on the amendment?

1027 The ranking member is recognized, Mr. Pallone.

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1028           \*Mr. Pallone. Thank you, Madam Chairwoman. I move to  
1029 strike the last word in opposition to the amendment and the  
1030 underlying bill.

1031           So today we are marking up two bills: the Internet  
1032 Application ID Act and the TELL Act that share a flaw, in my  
1033 opinion. They haven't been properly vetted, and may have  
1034 unintended consequences that harm consumers and American  
1035 businesses.

1036           I made these concerns known during last month's  
1037 subcommittee markup, and while I expressed my hope that the  
1038 majority would work with the Democrats before full committee  
1039 markup, I still think the bills before still fail to fully  
1040 address key concerns of consumer groups, subject matter  
1041 experts, American businesses, and Federal agencies of  
1042 expertise.

1043           Committee Democrats did outreach to stakeholders after  
1044 subcommittee markup, and provided edits to our Republican  
1045 counterparts that we hoped would address some of the concerns  
1046 received. At the same time, we acknowledged that other  
1047 issues remained unresolved. Some, but not all, of our  
1048 proposed revisions have been incorporated into the ANS.

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1049           But unsurprisingly, over the last few days, we have  
1050 heard from stakeholders sounding the alarm about remaining  
1051 issues with these bills. A letter from the National  
1052 Consumers League Act, the App Association, and the Software  
1053 and Information Industry Association, Computer and  
1054 Communications Industry Association, and the Consumer  
1055 Technology Association. And I would ask for unanimous  
1056 consent for these letters to be entered into the record,  
1057 Madam Chair.

1058           \*The Chair. Without objection, so ordered.

1059           [The information follows:]

1060

1061           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1062

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1063           \*Mr. Pallone. So thank you. So valid concerns have  
1064 been raised by consumer groups and businesses.

1065           A key concern is notice fatigue. We know consumers get  
1066 tired of receiving notices that they find confusing, and then  
1067 ignore other, more important notices. We have all clicked  
1068 past things that we should probably read, and these two bills  
1069 contribute to the problem by repeatedly triggering notices  
1070 that provide no meaningful information to consumers, or at  
1071 least that they can understand.

1072           So I think we need to move away from the failed notice  
1073 and consent regime, which puts the burden on the consumer to  
1074 understand appropriately respond to various privacy pop-ups.  
1075 These bills don't protect consumers from dangerous design  
1076 features or empower consumers with meaningful control over  
1077 their data, in my opinion.

1078           So just let me be clear. The sponsors of these bills  
1079 have identified a real problem: websites and apps, including  
1080 those that may be under the control or substantial influence  
1081 of the Chinese Communist Party, have free rein to collect,  
1082 process, and transfer consumers' sensitive personal  
1083 information, and store it anywhere in the world. I do not

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1084 doubt that the sponsors are trying to do the right thing, but  
1085 these notice bills do not solve the problem, in my opinion.

1086 Tech accountability and data minimization is a better  
1087 answer. Last Congress this committee overwhelmingly passed  
1088 the American Data Privacy and Protect Act, transformational  
1089 legislation that will meaningfully restrict the amount of  
1090 consumers' data collected, processed, and transferred by  
1091 websites and apps. That bill does include language requiring  
1092 companies to include in their terms of service whether they  
1093 store information in or transfer data to several foreign  
1094 adversaries. But unlike these bills, that legislation, the  
1095 ADPPA, does not cause additional, confusing notices to  
1096 consumers. And unlike these bills, it provides clear  
1097 guidance to businesses and the FTC.

1098 And I appreciate that the TELL Act and the Internet  
1099 Application ID Act have been around for multiple congresses,  
1100 but there is no expiration date on concerns about flaws in  
1101 legislation. And with the issues unaddressed that I  
1102 mentioned, I can't support these bills today, and I yield  
1103 back, Madam Chair.

1104 \*The Chair. The gentleman yields back. Is there

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1105 further discussion on the amendment?

1106 For what purpose does the gentleman from Florida seek  
1107 recognition?

1108 \*Mr. Bilirakis. To strike the last word on the  
1109 amendment.

1110 \*The Chair. The gentleman --

1111 \*Mr. Bilirakis. Thank you.

1112 \*The Chair. -- is recognized for five minutes.

1113 \*Mr. Bilirakis. I want to thank my colleagues for  
1114 raising these concerns on compliance, though I seriously  
1115 disagree with them.

1116 I want to note that the two bills the ranking member  
1117 Pallone just referenced have been available for review and  
1118 edits for years. They even had a legislative hearing last  
1119 Congress. Our nation's tech companies, especially the  
1120 largest tech companies like Apple or Google, have the know-  
1121 your-customer compliance regimes to understand who they are  
1122 conducting business with.

1123 While I understand the concerns with compliance, the  
1124 legislation before us today require -- all the legislation  
1125 requires a knowingly standard, which should ease concerns

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1126 about mistake in non-compliance. Understanding who you are  
1127 signing a contract with, and conducting due diligence is  
1128 something we expect American businesses to do.

1129       When we vote 428 to 1 on the House floor to ban the use  
1130 of Uyghur slave labor in our supply chains, we had a much  
1131 stricter standard, requiring that companies receive an  
1132 explicit exemption from Customs and Border Patrol to use  
1133 goods from Xinjiang. In contrast, the bills before us have a  
1134 much lower standard.

1135       The TELL Act requires that an app or website which  
1136 knowingly stores and maintains data in the People's Republic  
1137 of China alert -- it alerts the users to that fact.

1138       The CAUTION Act requires that phone app stores alert  
1139 their users that an app has been banned on Federal devices.  
1140 Americans should know that they are downloading spyware.

1141       The Internet App ID Act requires that apps or websites  
1142 which are knowingly owned in part or in full by the Chinese  
1143 Communist Party or an entity domiciled in the People's  
1144 Republic of China disclose this fact to their users. Once  
1145 data is in China, the Chinese Communist Party has unfettered  
1146 access to it.

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1147           Companies who are knowingly giving the Chinese Communist  
1148 Party access to American data should be required to disclose  
1149 this fact to their users; it is as simple as that, Mr. Chair,  
1150 so -- Madam Chair.

1151           So, in any case, I urge my colleagues to pass these  
1152 bills, as amended, and I yield back the balance of my time.  
1153 Let's get them on the floor as soon as possible.

1154           \*The Chair. The gentleman yields back. Does anyone  
1155 else seek to be recognized?

1156           The lady from California, for what purpose do you seek  
1157 recognition?

1158           \*Ms. Eshoo. To strike the last word, Madam Chairwoman.

1159           \*The Chair. The gentlelady is recognized for five  
1160 minutes --

1161           \*Ms. Eshoo. Thank you.

1162           \*The Chair. -- to strike the last word.

1163           \*Ms. Eshoo. I have long been a champion of privacy and  
1164 data protection. I have also warned about the dangers of  
1165 America's data and technology in the hands of the PRC for  
1166 many years. I was one of the first to raise the alarm about  
1167 Huawei years before -- actually, well over a decade before

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1168 others did.

1169           We all agree that we need to ensure America's data is  
1170 protected from the exploitation of the PRC, but this can't be  
1171 accomplished with messaging bills. If we really care about  
1172 keeping the data of the American people safe from the PRC, we  
1173 should work together to ensure that the legislation we pass  
1174 out of this committee accomplishes that goal. Unfortunately,  
1175 the bills we are considering today really don't do that.

1176           This legislation places an enormous burden and  
1177 uncertainty on American businesses. They aren't clear about  
1178 how companies would be able to verify the ownership and  
1179 control of the apps or the websites. They aren't clear about  
1180 which companies would be responsible for verification in the  
1181 first place, and they will overburden consumers with  
1182 countless notices that serve them no good.

1183           There are legitimate concerns with the collection and  
1184 use of Americans' data by the PRC, but poorly drafted  
1185 legislation is poorly drafted legislation, and it can  
1186 undermine America's technological leadership, and have no  
1187 positive effect on protecting our data from being exploited  
1188 by the PRC or anyone else.

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1189 I hope we can come together to properly address these  
1190 concerns and actually protect Americans' data. And with  
1191 that, Madam Chairwoman, I yield back the balance of my time.

1192 \*The Chair. The lady yields back. Further, discussion  
1193 on the amendment?

1194 Seeing none, are there -- okay. Further discussion on  
1195 the amendment?

1196 Seeing none, all those in favor -- the vote now occurs  
1197 on approving H.R. 784 -- oh, on the amendment, on the  
1198 amendment. The vote now occurs on the -- on 784, as amended  
1199 -- on the amendment, on the amendment. Yes, on the  
1200 amendment.

1201 All those in favor, say aye.

1202 All those opposed, nay.

1203 The ayes have it. The amendment is agreed to.

1204 The question now occurs on approving H.R. 784, as  
1205 amended. A roll call has been requested. The clerk will  
1206 call the roll.

1207 \*The Clerk. Rodgers?

1208 \*The Chair. Aye.

1209 \*The Clerk. Rodgers votes aye.

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1210 Burgess?  
1211 \*Mr. Burgess. Votes aye.  
1212 \*The Clerk. Burgess votes aye.  
1213 Latta?  
1214 \*Mr. Latta. Aye.  
1215 \*The Clerk. Latta votes aye.  
1216 Guthrie?  
1217 \*Mr. Guthrie. Aye.  
1218 \*The Clerk. Guthrie votes aye.  
1219 Griffith?  
1220 \*Mr. Griffith. Aye.  
1221 \*The Clerk. Griffith votes aye.  
1222 Bilirakis?  
1223 \*Mr. Bilirakis. Aye.  
1224 \*The Clerk. Bilirakis votes aye.  
1225 Johnson?  
1226 \*Mr. Johnson. Aye.  
1227 \*The Clerk. Johnson votes aye.  
1228 Bucshon?  
1229 \*Mr. Bucshon. Aye.  
1230 \*The Clerk. Bucshon votes aye.

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1231 Hudson?  
1232 \*Mr. Hudson. Aye.  
1233 \*The Clerk. Hudson votes aye.  
1234 Walberg?  
1235 \*Mr. Walberg. Aye.  
1236 \*The Clerk. Walberg votes aye.  
1237 Carter?  
1238 \*Mr. Carter. Aye.  
1239 \*The Clerk. Carter votes aye.  
1240 Duncan?  
1241 \*Mr. Duncan. Aye.  
1242 \*The Clerk. Duncan votes aye.  
1243 Palmer?  
1244 \*Mr. Palmer. Aye.  
1245 \*The Clerk. Palmer votes aye.  
1246 Dunn?  
1247 [No response.]  
1248 \*The Clerk. Curtis?  
1249 \*Mr. Curtis. Aye.  
1250 \*The Clerk. Curtis votes aye.  
1251 Lesko?

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1252            \*Mrs. Lesko.    Aye.  
1253            \*The Clerk.    Lesko votes aye.  
1254            Pence?  
1255            \*Mr. Pence.    Aye.  
1256            \*The Clerk.    Pence votes aye.  
1257            Crenshaw?  
1258            \*Mr. Crenshaw. Aye.  
1259            \*The Clerk.    Crenshaw votes aye.  
1260            Joyce?  
1261            \*Mr. Joyce.    Aye.  
1262            \*The Clerk.    Joyce votes aye.  
1263            Armstrong?  
1264            \*Mr. Armstrong. Yes.  
1265            \*The Clerk.    Armstrong votes aye.  
1266            Weber?  
1267            [No response.]  
1268            \*The Clerk.    Allen?  
1269            \*Mr. Allen.    Aye.  
1270            \*The Clerk.    Allen votes aye.  
1271            Balderson?  
1272            \*Mr. Balderson. Aye.

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1273           \*The Clerk. Balderson votes aye.  
1274           Fulcher?  
1275           \*Mr. Fulcher. Fulcher is aye.  
1276           \*The Clerk. Fulcher votes aye.  
1277           Pflugger?  
1278           \*Mr. Pflugger. Aye.  
1279           \*The Clerk. Pflugger votes aye.  
1280           Harshbarger?  
1281           \*Mrs. Harshbarger. [Inaudible.]  
1282           \*The Clerk. Harshbarger votes aye.  
1283           Miller-Meeks?  
1284           \*Mrs. Miller-Meeks. Yes.  
1285           \*The Clerk. Miller-Meeks votes aye.  
1286           Cammack?  
1287           \*Mrs. Cammack. Aye.  
1288           \*The Clerk. Cammack votes aye.  
1289           Oberholte?  
1290           \*Mr. Oberholte. No.  
1291           \*The Clerk. Oberholte votes no.  
1292           Pallone?  
1293           \*Mr. Pallone. No.

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1294           \*The Clerk. Pallone votes no.  
1295           Eshoo?  
1296           \*Ms. Eshoo. No.  
1297           \*The Clerk. Eshoo votes no.  
1298           DeGette?  
1299           \*Ms. DeGette. No.  
1300           \*The Clerk. DeGette votes no.  
1301           Schakowsky?  
1302           \*Ms. Schakowsky. No.  
1303           \*The Clerk. Schakowsky votes no.  
1304           Matsui?  
1305           \*Ms. Matsui. No.  
1306           \*The Clerk. Matsui votes no.  
1307           Castor?  
1308           \*Ms. Castor. [Inaudible.]  
1309           \*The Clerk. Castor votes no.  
1310           Sarbanes?  
1311           \*Mr. Sarbanes. No.  
1312           \*The Clerk. Sarbanes votes no.  
1313           Tonko?  
1314           \*Mr. Tonko. No.

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1315           \*The Clerk. Tonko votes no.  
1316           Clarke?  
1317           \*Ms. Clarke. No.  
1318           \*The Clerk. Clarke votes no.  
1319           Cardenas?  
1320           \*Mr. Cardenas. No.  
1321           \*The Clerk. Cardenas votes no.  
1322           Ruiz?  
1323           \*Mr. Ruiz. No.  
1324           \*The Clerk. Ruiz votes no.  
1325           Peters?  
1326           \*Mr. Peters. [Inaudible.]  
1327           \*The Clerk. Peters votes aye.  
1328           Dingell?  
1329           \*Mrs. Dingell. [Inaudible.]  
1330           \*The Clerk. Dingell votes no.  
1331           Veasey?  
1332           \*Mr. Veasey. No.  
1333           \*The Clerk. Veasey votes no.  
1334           Kuster?  
1335           \*Ms. Kuster. No.

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1336 \*The Clerk. Kuster votes no.  
1337 Kelly?  
1338 \*Ms. Kelly. [Inaudible.]  
1339 \*The Clerk. Kelly votes No.  
1340 Barragan?  
1341 \*Ms. Barragan. No.  
1342 \*The Clerk. Barragan votes no.  
1343 Blunt Rochester?  
1344 \*Ms. Blunt Rochester. No.  
1345 \*The Clerk. Blunt Rochester votes no.  
1346 Soto?  
1347 \*Mr. Soto. No.  
1348 \*The Clerk. Soto votes no.  
1349 Craig?  
1350 \*Ms. Craig. Yes.  
1351 \*The Clerk. Craig votes aye.  
1352 Schrier?  
1353 [No response.]  
1354 \*The Clerk. Trahan?  
1355 \*Mrs. Trahan. No.  
1356 \*The Clerk. Trahan votes no.

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1357 Fletcher?

1358 \*Mrs. Fletcher. No.

1359 \*The Clerk. Fletcher votes no.

1360 \*The Chair. Craig did.

1361 \*Mr. Pallone. They canceled each other out.

1362 \*Mr. Weber. How was the no vote [inaudible].

1363 [Laughter.]

1364 \*Mr. Pallone. What did he say?

1365 \*The Chair. I don't know.

1366 \*The Clerk. Mr. Weber was not recorded.

1367 \*Mr. Weber. Mr. Weber votes no.

1368 \*The Clerk. Mr. Weber votes no.

1369 \*The Chair. Mr. Allen, is Mr. Allen recorded?

1370 Mr. Allen?

1371 \*Mr. Weber. I want to change the vote to aye.

1372 \*The Clerk. Mr. Weber is off no, on aye.

1373 \*Mr. Weber. Thank you.

1374 \*The Chair. Any other members not recorded?

1375 [Pause.]

1376 \*The Clerk. Chair Rodgers, on that vote --

1377 \*The Chair. The clerk will report.

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1378 \*The Clerk. -- we have 28 ayes and 22 noes.

1379 \*The Chair. The ayes have it, and the bill is adopted.

1380 The chair calls up H.R. 742, and asks the clerk to

1381 report.

1382 \*The Clerk. H.R. 742, to require that any person that

1383 maintains an Internet website --

1384 \*The Chair. Without objection, the first reading of the

1385 bill is dispensed with, and the bill is open for an amendment

1386 -- for amendment at any point.

1387 So ordered.

1388 [The bill follows:]

1389

1390 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1391

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1392           \*The Chair. Does anyone seek to be recognized on the  
1393 bill, 742?

1394           For what purpose does the gentleman from South Carolina  
1395 seek recognition?

1396           \*Mr. Duncan. Mrs. Chairman, I move to strike the last  
1397 word.

1398           \*The Chair. The gentleman is recognized for five  
1399 minutes to strike the last word.

1400           \*Mr. Duncan. Thank you so much. I rise today to speak  
1401 on behalf of my bill, H.R. 742, the Telling Everyone the  
1402 Location of Data Leaving the U.S. Act, or TELL Act, and this  
1403 amendment in the nature of a substitute that is being brought  
1404 up.

1405           TELL makes a simple requirement of all mobile  
1406 applications and websites: if you store and maintain data in  
1407 the People's Republic of China, or if users' data is in any  
1408 way accessible by the Chinese Communist Party or any other  
1409 Chinese state-owned entity, you must disclose that to the  
1410 consumer. The Americans have the right to know.

1411           Due to past actions, I believe, by past congresses, you  
1412 now have to agree to allow apps to track you, and you have to

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1413 be warned or notified that cookies may be downloaded by  
1414 websites to your computers and devices. The American people  
1415 deserve to know which apps on their phone or programs on  
1416 their laptop are collecting personal data to give to the  
1417 Chinese in quantities far greater than those from the big  
1418 white balloon, and in far greater depth.

1419         The bill also provides that failure to disclose is a  
1420 violation under the unfair or deceptive acts clause, and it  
1421 gives the FTC enforcement authority to fine companies who  
1422 either fail to disclose or who knowingly disclose false  
1423 information.

1424         The big white Chinese spy balloon was a wake-up call to  
1425 America. This bill should be a wake-up call to Big Tech,  
1426 which is why they are squirming. Our constituents are sick  
1427 and tired of their data being exposed to the CCP, and we  
1428 wonder what it is being used for. Our message to Big Tech is  
1429 simple: If you don't like the disclosure requirements in  
1430 this bill, knock off storing China -- storing data in China,  
1431 or be prepared to tell our constituents why you have chosen  
1432 to be so cavalier with their personal information.

1433         I want to thank my Democrat co-lead on this bill, the

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1434 gentlelady from Ohio, Marcy Kaptur, especially for her  
1435 leadership in fighting against Chinese abuses over the  
1436 entirety of her long and distinguished career.

1437         This bill is proof that we can work together. We can  
1438 work across the ideological spectrum and across party lines  
1439 to protect Americans, all of our constituents, from the  
1440 predators of the Chinese Communist Party. In that bipartisan  
1441 spirit, the ANS we are voting on includes clarifying  
1442 amendments suggested by the minority after our subcommittee  
1443 markup, ensuring that we are focused on data related to  
1444 individual Americans, and protecting those Americans from the  
1445 Chinese Communist Party.

1446         It is time to shine the sunlight on what the CCP has  
1447 been doing behind the scenes to get access to volumes and  
1448 volumes of Americans' data. I ask for your support on this  
1449 legislation, and I yield back the balance.

1450         \*The Chair. The gentleman yields back. Does anyone  
1451 seek to be recognized on the bill?

1452         The gentleman -- the ranking member -- recognized for  
1453 five minutes --

1454         \*Mr. Pallone. Thank you, Madam --

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1455           \*The Chair. -- the last word.

1456           \*Mr. Pallone. Thank you, Madam Chair. As I previously  
1457 mentioned, I have concerns about this bill that remain  
1458 unresolved. And I do appreciate Mr. Duncan's incorporating  
1459 some of the things that we suggested. But I still think the  
1460 bill has not been properly vetted with stakeholders to  
1461 analyze potential unintended consequences, and may -- and it  
1462 may trigger multiple unhelpful notices to consumers, causing  
1463 confusion and, again, notice fatigue.

1464           It has vague language, I think, that creates confusion  
1465 for both industry and the agency tasked with enforcing it --  
1466 that is the Federal Trade Commission.

1467           The scope of the bill is very broad, and it may lead to  
1468 a deluge of meaningless and misleading notifications to  
1469 consumers. Based on the language in the bill, it appears  
1470 that if a website or mobile application collects and stores  
1471 in China any data about more than one consumer who resides in  
1472 the United States, it must notify every other person who  
1473 resides in the United States and uses that website or  
1474 downloads the application that it stores such data in China,  
1475 and whether the Chinese Communist Party or a state-owned

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1476 entity has access to the data. Now, I think that consumers  
1477 receiving that notice will have no way of knowing if their  
1478 data is stored in China, nor any recourse, for that matter.

1479 Now, unsurprisingly, we have heard from both consumer  
1480 and industry advocates that this bill needs more work. The  
1481 National Consumers League warns that the bill is, and I  
1482 quote, "overly broad in scope, and seeks to substitute the  
1483 fig leaf of disclosure for real data protections."

1484 So again, I think that we can ultimately come to an  
1485 agreement on the bill, but, you know, right now I think there  
1486 are too many problems. And based on this, I cannot support  
1487 the legislation.

1488 And with that, Madam Chair, I yield back.

1489 \*The Chair. The gentleman yields back. Does anyone  
1490 seek to be recognized on the bill?

1491 Are there bipartisan amendments to the bill?

1492 Are there amendments to the bill?

1493 Mr. Duncan, do you want to move the ANS?

1494 \*Mr. Duncan. Madam Chair, we have an amendment in  
1495 nature of a substitute, I believe.

1496 \*The Chair. The clerk will report the amendment.

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1497           \*The Clerk. Amendment in the nature of a substitute to  
1498 H.R. 742, offered by --

1499           \*The Chair. Without objection, the reading of the  
1500 amendment is dispensed with.

1501           [The amendment of Mr. Duncan follows:]

1502

1503           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1504

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1505           \*The Chair. The gentleman is recognized for five  
1506 minutes in support of the amendment.

1507           \*Mr. Duncan. Yes, this amendment just incorporates what  
1508 the minority asks us to in this bill. So I would ask that we  
1509 adopt the ANS, and move the underlying bill, as amended, to  
1510 the floor.

1511           Let me just say this. The companies that are involved  
1512 know where they are storing your data. They know where the  
1513 data is being stored. I would say that it is more difficult  
1514 for a company to track your shopping patterns, your travel  
1515 patterns, your lifestyle patterns than it is to just  
1516 acknowledge that they are storing your data somewhere else,  
1517 and let you know that it is being stored outside of the  
1518 United States in the People's Republic of China. I don't  
1519 understand why this is so difficult and would seem so costly  
1520 or difficult for the companies, because they know where their  
1521 data centers are.

1522           Now, if China is hacking into a data center and stealing  
1523 your information, that is a whole other issue. But these  
1524 companies, when you download an app, you visit a website, you  
1525 sign on to a company where you are buying a product, they

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1526 know what they are collecting and where it is stored. Just  
1527 tell the American people, "Hey guys, we are storing your data  
1528 in China, and you can opt in or opt out on whether you want  
1529 your data stored there, or whether you even want to visit the  
1530 website, participate in the app application on your device.'"'  
1531 Let's just inform the American people where their data may or  
1532 may not be.

1533 And with that, I yield back.

1534 \*The Chair. The gentleman yields back. Is there  
1535 further discussion of the amendment?

1536 If there is no further discussion, the vote occurs on  
1537 the amendment.

1538 All those in favor, say aye.

1539 Those opposed, nay.

1540 The ayes have it. The amendment is agreed to.

1541 The question now occurs on approving H.R. 742, as  
1542 amendment -- as amended. A roll call has been requested.  
1543 The clerk will call the roll.

1544 \*The Clerk. Rodgers?

1545 \*The Chair. Aye.

1546 \*The Clerk. Rodgers votes aye.

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1547 Burgess?  
1548 \*Mr. Burgess. Votes aye.  
1549 \*The Clerk. Burgess votes aye.  
1550 Latta?  
1551 \*Mr. Latta. Aye.  
1552 \*The Clerk. Latta votes aye.  
1553 Guthrie?  
1554 \*Mr. Guthrie. Aye.  
1555 \*The Clerk. Guthrie votes aye.  
1556 Griffith?  
1557 \*Mr. Griffith. Aye.  
1558 \*The Clerk. Griffith votes aye.  
1559 Bilirakis?  
1560 \*Mr. Bilirakis. [Inaudible.]  
1561 \*The Clerk. Bilirakis votes aye.  
1562 Johnson?  
1563 \*Mr. Johnson. Aye.  
1564 \*The Clerk. Johnson votes aye.  
1565 Bucshon?  
1566 \*Mr. Bucshon. Aye.  
1567 \*The Clerk. Bucshon votes aye.

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1568 Hudson?  
1569 \*Mr. Hudson. Aye.  
1570 \*The Clerk. Hudson votes aye.  
1571 Walberg?  
1572 \*Mr. Walberg. Aye.  
1573 \*The Clerk. Walberg votes aye.  
1574 Carter?  
1575 \*Mr. Carter. Aye.  
1576 \*The Clerk. Carter votes aye.  
1577 Duncan?  
1578 \*Mr. Duncan. Aye.  
1579 \*The Clerk. Duncan votes aye.  
1580 Palmer?  
1581 \*Mr. Palmer. Aye.  
1582 \*The Clerk. Palmer votes aye.  
1583 Dunn?  
1584 [No response.]  
1585 \*The Clerk. Curtis?  
1586 \*Mr. Curtis. Aye.  
1587 \*The Clerk. Curtis votes aye.  
1588 Lesko?

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1589            \*Mrs. Lesko.    Aye.  
1590            \*The Clerk.    Lesko votes aye.  
1591            Pence?  
1592            \*Mr. Pence.    Aye.  
1593            \*The Clerk.    Pence votes aye.  
1594            Crenshaw?  
1595            \*Mr. Crenshaw.    Aye.  
1596            \*The Clerk.    Crenshaw votes aye.  
1597            Joyce?  
1598            \*Mr. Joyce.    Aye.  
1599            \*The Clerk.    Joyce votes aye.  
1600            Armstrong?  
1601            \*Mr. Armstrong.    Yes.  
1602            \*The Clerk.    Armstrong votes aye.  
1603            Weber?  
1604            \*Mr. Weber.    Aye.  
1605            \*The Clerk.    Weber votes aye.  
1606            Allen?  
1607            \*Mr. Allen.    Aye.  
1608            \*The Clerk.    Allen votes aye.  
1609            Balderson?

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1610 \*Mr. Balderson. [Inaudible.]  
1611 \*The Clerk. Balderson votes aye.  
1612 Fulcher?  
1613 \*Mr. Fulcher. Fulcher is aye.  
1614 \*The Clerk. Fulcher votes aye.  
1615 Pfluger?  
1616 \*Mr. Pfluger. Aye.  
1617 \*The Clerk. Pfluger votes aye.  
1618 Harshbarger?  
1619 [No response.]  
1620 \*The Clerk. Miller-Meeks?  
1621 \*Mrs. Miller-Meeks. Yes.  
1622 \*The Clerk. Miller-Meeks votes aye.  
1623 Cammack?  
1624 \*Mrs. Cammack. Aye.  
1625 \*The Clerk. Cammack votes aye.  
1626 Obernolte?  
1627 \*Mr. Obernolte. No.  
1628 \*The Clerk. Obernolte votes no.  
1629 Pallone?  
1630 \*Mr. Pallone. No.

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

1631 \*The Clerk. Pallone votes no.  
1632 Eshoo?  
1633 \*Ms. Eshoo. No.  
1634 \*The Clerk. Eshoo votes no.  
1635 DeGette?  
1636 \*Ms. DeGette. No.  
1637 \*The Clerk. DeGette votes no.  
1638 Schakowsky?  
1639 \*Ms. Schakowsky. No.  
1640 \*The Clerk. Schakowsky votes no.  
1641 Matsui?  
1642 \*Ms. Matsui. No.  
1643 \*The Clerk. Matsui votes no.  
1644 Castor?  
1645 \*Ms. Castor. [Inaudible.]  
1646 \*The Clerk. Castor votes no.  
1647 Sarbanes?  
1648 \*Mr. Sarbanes. No.  
1649 \*The Clerk. Sarbanes votes no.  
1650 Tonko?  
1651 \*Mr. Tonko. No.

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1652           \*The Clerk. Tonko votes no.  
1653           Clarke?  
1654           \*Ms. Clarke. No.  
1655           \*The Clerk. Clarke votes no.  
1656           Cardenas?  
1657           \*Mr. Cardenas. No.  
1658           \*The Clerk. Cardenas votes no.  
1659           Ruiz?  
1660           [No response.]  
1661           \*The Clerk. Peters?  
1662           \*Mr. Peters. No.  
1663           \*The Clerk. Peters votes no.  
1664           Dingell?  
1665           \*Mrs. Dingell. No.  
1666           \*The Clerk. Dingell votes no.  
1667           Veasey?  
1668           \*Mr. Veasey. No.  
1669           \*The Clerk. Veasey votes no.  
1670           Kuster?  
1671           \*Ms. Kuster. No.  
1672           \*The Clerk. Kuster votes no.

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1673 Kelly?  
1674 \*Ms. Kelly. No.  
1675 \*The Clerk. Kelly votes no.  
1676 Barragan?  
1677 [No response.]  
1678 \*The Clerk. Blunt Rochester?  
1679 \*Ms. Blunt Rochester. No.  
1680 \*The Clerk. Blunt Rochester votes no.  
1681 Soto?  
1682 \*Mr. Soto. No.  
1683 \*The Clerk. Soto votes no.  
1684 Craig?  
1685 \*Ms. Craig. Yes.  
1686 \*The Clerk. Craig votes aye.  
1687 Schrier?  
1688 [No response.]  
1689 \*The Clerk. Trahan?  
1690 \*Mrs. Trahan. No.  
1691 \*The Clerk. Trahan votes no.  
1692 Fletcher?  
1693 [No response.]

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

1694 \*The Chair. Any other members seeking to be recorded?  
1695 \*The Clerk. Mrs. Fletcher is not recorded.  
1696 \*The Chair. Mrs. Fletcher?  
1697 \*Mrs. Fletcher. No.  
1698 \*The Clerk. Mrs. Fletcher votes no.  
1699 \*Ms. Barragan. Barragan --  
1700 \*The Clerk. Ruiz is not recorded.  
1701 \*Mr. Ruiz. No.  
1702 \*The Chair. Mr. Ruiz?  
1703 \*The Clerk. Ruiz votes no.  
1704 \*The Chair. Ms. Barragan?  
1705  
1706 \*The Clerk. Barragan is not recorded.  
1707 \*Ms. Barragan. Barragan votes no.  
1708 \*The Clerk. Barragan votes no.  
1709 \*The Chair. Mrs. Harshbarger?  
1710 \*The Clerk. Mrs. Harshbarger is not recorded.  
1711 \*Mrs. Harshbarger. [Inaudible.]  
1712 \*The Clerk. Harshbarger votes aye.  
1713 \*The Chair. The clerk will report.  
1714 [Pause.]

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1715           \*The Clerk. Chair Rodgers, on that vote we have 28 ayes  
1716 and 22 noes.

1717           \*The Chair. The ayes have it, and the bill is adopted.

1718           The chair calls up H.R. 813, and asks the clerk to  
1719 report.

1720           \*The Clerk. H.R. 813, to direct the Secretary of  
1721 Commerce, in coordination with the --

1722           \*The Chair. Without objection, the first reading of the  
1723 bill is dispensed with, and the bill will be open for  
1724 amendment at any point.

1725           So ordered.

1726           [The bill follows:]

1727

1728           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1729

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

1730           \*The Chair. Does anyone seek to be recognized on the  
1731 bill?

1732           For what purpose does the gentleman from Indiana seek to  
1733 be recognized?

1734           \*Mr. Pence. Madam Chair, I have an amendment at the  
1735 desk, and would like to strike the last word.

1736           \*The Clerk. Amendment in the nature of a substitute to  
1737 H.R. 813, offered by Mr. Pence. Strike all after the  
1738 enacting clause --

1739           \*The Chair. Without objection, the reading of the  
1740 amendment is dispensed with.

1741           [The amendment of Mr. Pence follows:]

1742

1743           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1744

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1745           \*The Chair. And the gentleman is recognized for five  
1746 minutes in support of his amendment.

1747           \*Mr. Pence. Thank you, Madam Chair. I thank my  
1748 colleague, Ranking Member Schakowsky, for working with me on  
1749 this amendment.

1750           This amendment to H.R. 813 includes technical fixes and  
1751 clarifying updates to strengthen the legislation and move  
1752 forward on a bipartisan basis.

1753           The Global Investment in American Jobs Act seeks to  
1754 improve the attractiveness of foreign investment from allied  
1755 nations and identify barriers that are holding back American  
1756 competitiveness.

1757           Over 200,000 Hoosiers are directly employed by  
1758 international companies, 56 percent of which are in the  
1759 manufacturing sector. Because of our long, storied history  
1760 as a leader in the manufacturing industry, companies across  
1761 the world have keyed into Indiana. Before companies started  
1762 outsourcing operations to China and other countries, company  
1763 towns have lifted small and rural communities across the  
1764 Hoosier State. Take Cummins Engine Company, for example. I  
1765 have lived in Columbus, Indiana my entire life, and nearly

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1766 every family, my own included, has some connection to the  
1767 company that has helped build and grow our city.

1768       Beyond Indiana, communities across the country share  
1769 similar stories where foreign investment has lifted up  
1770 communities with stable, good-paying jobs. International  
1771 companies in the U.S. employ 8 million workers, and over the  
1772 past 5 years have created 400,000 new manufacturing jobs. As  
1773 companies across the world rethink their partnerships with  
1774 the Chinese Communist Party, we have an opportunity to  
1775 leverage investment from allied nations.

1776       Importantly, this legislation would also seek to uncover  
1777 actions from the Chinese Communist Party to gain access to  
1778 the U.S. markets and circumvent national security laws. For  
1779 decades China has built a calculated strategy to corner  
1780 global supply chains through IP theft and free market  
1781 manipulation. H.R. 813 addresses anti-competitive practices  
1782 of the CCP to undermine innovation and to gain footholds in  
1783 next generation technologies.

1784       I urge support of this bill, and I yield back the  
1785 balance of my time.

1786       \*The Chair. The gentleman yields back. Is there

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1787 discussion of the amendment?

1788 For what purpose does the lady from Illinois seek to be  
1789 recognized?

1790 \*Ms. Schakowsky. I seek to strike the last word.

1791 \*The Chair. The lady is recognized for five minutes.

1792 \*Ms. Schakowsky. So I really want to thank my  
1793 colleague, Representative Pence, and also chair of the  
1794 subcommittee, Bilirakis, for their engagement with me  
1795 concerning the issues that I raised at the subcommittee  
1796 hearing.

1797 Foreign direct investment can enhance our global  
1798 competitiveness. That is certainly for sure. But we must  
1799 also understand its importance for American workers. The --  
1800 China is -- and China is not the only adversary that --  
1801 foreign direct investment from -- among other countries that  
1802 we ought to pay attention to. And thank you for including  
1803 that in the amendment.

1804 And the bill is stronger for our bipartisan  
1805 collaboration. I appreciate it so much. And with that, I  
1806 yield back.

1807 \*The Chair. The gentlelady yields back. Is there

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1808 further discussion of the amendment?

1809 The lady from Delaware, for what purpose do you seek  
1810 recognition?

1811 \*Ms. Blunt Rochester. Madam Chair, I move to strike the  
1812 last word.

1813 \*The Chair. The lady is recognized for five minutes --

1814 \*Ms. Blunt Rochester. Thank you, Chair --

1815 \*The Chair. -- to strike the last --

1816 \*Ms. Blunt Rochester. -- Rodgers. I would like to  
1817 thank Mr. Pence and Ranking Member Schakowsky in working  
1818 together to improve this bill. I applaud the efforts of this  
1819 committee to continue the work of bringing more and better  
1820 jobs back to the United States.

1821 This bill will improve foreign direct investment's role  
1822 in expanding manufacturing and supply chain resiliency in the  
1823 U.S. And the bipartisan ANS worked on by Mr. Pence and  
1824 Ranking Member Schakowsky will help our country ensure that  
1825 foreign direct investments will expand jobs and  
1826 opportunities, not stifle them.

1827 I am proud to announce my support for the ANS, but I  
1828 must take this opportunity to urge my colleagues on both

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1829 sides of the aisle to go further. This measure can only be  
1830 successful if it is part of a larger and fully comprehensive  
1831 strategy to reshore jobs to the United States.

1832 Mr. Pence's bill recognizes the need to be strategic,  
1833 but without a holistic strategy akin to a national defense  
1834 strategy that determines the strengths and weaknesses of  
1835 manufacturing and supply chains policy in America, we will  
1836 continue to fall behind. My bill, the Supply Chains Act,  
1837 would do just that. And I hope that members of this  
1838 committee will work with me to get it across the finish line.

1839 Mr. Pence, I would love to work with you more, and I  
1840 think together we can ensure America remains an economic  
1841 powerhouse now and into the future.

1842 Thank you, Madam Chair, and I yield back.

1843 \*The Chair. The gentlelady yields back. Is there  
1844 further discussion of the amendment?

1845 The lady from Arizona, for what purpose do you seek  
1846 recognition?

1847 \*Mrs. Lesko. Thank you, Madam Chair. I have an  
1848 amendment at the desk. The amendment is labeled SLW0211.

1849 \*The Chair. Do you have an amendment to the ANS?

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1850           \*Mrs. Lesko. Yes.

1851           \*The Chair. Okay, okay. Very good. The clerk will  
1852 designate the amendment.

1853           \*The Clerk. Amendment to the amendment in the nature of  
1854 a substitute to H.R. 813, offered by Mrs. Lesko. Page 10,  
1855 line 2, insert --

1856           \*The Chair. Without objection, the reading of the  
1857 amendment is dispensed with.

1858           [The amendment of Mrs. Lesko follows:]

1859

1860           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1861

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1862           \*Mrs. Lesko. Thank you, Madam Chair.

1863           \*The Chair. The lady is recognized for five minutes in  
1864 support of the amendment.

1865           \*Mrs. Lesko. Thank you. First of all, let me commend  
1866 Mr. Pence for bringing this legislation forward. The  
1867 legislation is an essential purpose of this subcommittee, and  
1868 I know he wishes to reflect on the uniqueness of Taiwan and  
1869 how it plays into this debate as the PRC continues to  
1870 encroach.

1871           My amendment to the amendment in the nature of a  
1872 substitute is short and simple. It amends the definition of  
1873 "trusted country" to ensure that trusted economies such as  
1874 Taiwan are included in the review and report on how to  
1875 increase global competitiveness of the U.S. and attracting  
1876 foreign direct investment.

1877           Taiwan is an important ally and economic partner of the  
1878 United States. It is critical that we recognize their  
1879 economic strength and their important contributions to the  
1880 U.S. workforce and economy. In 2021 U.S. goods and services  
1881 trade with Taiwan totaled an estimated \$114 billion. This is  
1882 significant to American workers and businesses.

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1883           The Taiwan Semiconductor Manufacturing company is  
1884 building a large facility in my district in Arizona. This  
1885 historic investment is estimated to have an economic impact  
1886 of around \$40 billion over 20 years, and to create over 1,600  
1887 jobs. This is the kind of foreign direct investment that  
1888 this bill aims to increase.

1889           The amendment is very short. All it does is insert "or  
1890 economy'" after "country.'" I urge my colleagues to vote in  
1891 favor of this amendment and the underlying bill, and I yield  
1892 back.

1893           \*The Chair. Is there further discussion on the  
1894 amendment?

1895           Okay, seeing none, the vote occurs on the amendment to  
1896 the ANS offered by the lady from Arizona, Mrs. Lesko.

1897           All those in favor, signify by saying aye.

1898           Those opposed, nay.

1899           The ayes have it, the ANS is -- the amendment is agreed  
1900 to.

1901           Is there further discussion on the underlying -- the  
1902 ANS?

1903           Okay, seeing none, the vote occurs on the ANS, as

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1904 amendment (sic).  
1905 All those in favor, say aye.  
1906 Those opposed, nay.  
1907 The ayes have it. The ANS, as amended, is agreed to.  
1908 The question now occurs on approving H.R. 813, as  
1909 amendment -- as amended. A request for a roll call is  
1910 granted. The clerk will call the roll.  
1911 \*The Clerk. Rodgers?  
1912 \*The Chair. Aye.  
1913 \*The Clerk. Rodgers votes aye.  
1914 Burgess?  
1915 \*Mr. Burgess. Votes aye.  
1916 \*The Clerk. Burgess votes aye.  
1917 Latta?  
1918 \*Mr. Latta. Aye.  
1919 \*The Clerk. Latta votes aye.  
1920 Guthrie?  
1921 \*Mr. Guthrie. Aye.  
1922 \*The Clerk. Guthrie votes aye.  
1923 Griffith?  
1924 \*Mr. Griffith. Aye.

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1925           \*The Clerk. Griffith votes aye.  
1926           Bilirakis?  
1927           \*Mr. Bilirakis. [Inaudible.]  
1928           \*The Clerk. Bilirakis votes aye.  
1929           Johnson?  
1930           \*Mr. Johnson. Aye.  
1931           \*The Clerk. Johnson votes aye.  
1932           Bucshon?  
1933           \*Mr. Bucshon. Aye.  
1934           \*The Clerk. Bucshon votes aye.  
1935           Hudson?  
1936           [No response.]  
1937           \*The Clerk. Walberg?  
1938           \*Mr. Walberg. Aye.  
1939           \*The Clerk. Walberg votes aye.  
1940           Carter?  
1941           \*Mr. Carter. Aye.  
1942           \*The Clerk. Carter votes aye.  
1943           Duncan?  
1944           \*Mr. Duncan. Aye.  
1945           \*The Clerk. Duncan votes aye.

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1946 Palmer?  
1947 \*Mr. Palmer. Aye.  
1948 \*The Clerk. Palmer votes aye.  
1949 Dunn?  
1950 [No response.]  
1951 \*The Clerk. Curtis?  
1952 \*Mr. Curtis. Aye.  
1953 \*The Clerk. Curtis votes aye.  
1954 Lesko?  
1955 \*Mrs. Lesko. Aye.  
1956 \*The Clerk. Lesko votes aye.  
1957 Pence?  
1958 \*Mr. Pence. Aye.  
1959 \*The Clerk. Pence votes aye.  
1960 Crenshaw?  
1961 \*Mr. Crenshaw. Aye.  
1962 \*The Clerk. Crenshaw votes aye.  
1963 Joyce?  
1964 \*Mr. Joyce. Aye.  
1965 \*The Clerk. Joyce votes aye.  
1966 Armstrong?

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1967 \*Mr. Armstrong. Yes.

1968 \*The Clerk. Armstrong votes aye.

1969 Weber?

1970 \*Mr. Weber. [Inaudible.]

1971 \*The Clerk. Weber votes aye.

1972 Allen?

1973 \*Mr. Allen. Aye.

1974 \*The Clerk. Allen votes aye.

1975 Balderson?

1976 [No response.]

1977 \*The Clerk. Fulcher?

1978 \*Mr. Fulcher. Fulcher is aye.

1979 \*The Clerk. Fulcher votes aye.

1980 Pfluger?

1981 \*Mr. Pfluger. [Inaudible.]

1982 \*The Clerk. Pfluger votes aye.

1983 Harshbarger?

1984 \*Mrs. Harshbarger. [Inaudible.]

1985 \*The Clerk. Harshbarger votes aye.

1986 Miller-Meeks?

1987 \*Mrs. Miller-Meeks. [Inaudible.]

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1988 \*The Clerk. Miller-Meeks votes aye.  
1989 Cammack?  
1990 \*Mrs. Cammack. Aye.  
1991 \*The Clerk. Cammack votes aye.  
1992 Obernolte?  
1993 [No response.]  
1994 \*The Clerk. Pallone?  
1995 \*Mr. Pallone. Aye.  
1996 \*The Clerk. Pallone votes aye.  
1997 Eshoo?  
1998 \*Ms. Eshoo. Aye.  
1999 \*The Clerk. Eshoo votes aye.  
2000 DeGette?  
2001 \*Ms. DeGette. DeGette votes aye.  
2002 \*The Clerk. DeGette votes aye.  
2003 Schakowsky?  
2004 \*Ms. Schakowsky. Aye.  
2005 \*The Clerk. Schakowsky votes aye.  
2006 Matsui?  
2007 \*Ms. Matsui. Aye.  
2008 \*The Clerk. Matsui votes aye.

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2009 Castor?

2010 \*Ms. Castor. Aye.

2011 \*The Clerk. Castor votes aye.

2012 Sarbanes?

2013 \*Mr. Sarbanes. Aye.

2014 \*The Clerk. Sarbanes votes aye.

2015 Tonko?

2016 \*Mr. Tonko. Aye.

2017 \*The Clerk. Tonko votes aye.

2018 Clarke?

2019 \*Ms. Clarke. Aye.

2020 \*The Clerk. Clarke votes aye.

2021 Cardenas?

2022 \*Mr. Cardenas. Aye.

2023 \*The Clerk. Cardenas votes aye.

2024 Ruiz?

2025 \*Mr. Ruiz. Aye.

2026 \*The Clerk. Ruiz votes aye.

2027 Peters?

2028 \*Mr. Peters. [Inaudible.]

2029 \*The Clerk. Peters votes aye.

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2030 Dingell?  
2031 \*Mrs. Dingell. Aye.  
2032 \*The Clerk. Dingell votes aye.  
2033 Veasey?  
2034 \*Mr. Veasey. Aye.  
2035 \*The Clerk. Veasey votes aye.  
2036 Kuster?  
2037 \*Ms. Kuster. Aye.  
2038 \*The Clerk. Kuster votes aye.  
2039 Kelly?  
2040 \*Ms. Kelly. Kelly votes aye.  
2041 \*The Clerk. Kelly votes aye.  
2042 Barragan?  
2043 \*Ms. Barragan. Aye.  
2044 \*The Clerk. Barragan votes aye.  
2045 Blunt Rochester?  
2046 \*Ms. Blunt Rochester. Aye.  
2047 \*The Clerk. Blunt Rochester votes aye.  
2048 Soto?  
2049 \*Mr. Soto. Aye.  
2050 \*The Clerk. Soto votes aye.

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2051 Craig?  
2052 \*Ms. Craig. Aye.  
2053 \*The Clerk. Craig votes aye.  
2054 Schrier?  
2055 [No response.]  
2056 \*The Clerk. Trahan?  
2057 \*Mrs. Trahan. [Inaudible.]  
2058 \*The Clerk. Trahan votes aye.  
2059 Fletcher?  
2060 \*Mrs. Fletcher. Aye.  
2061 \*The Clerk. Fletcher votes aye.  
2062  
2063 \*Mr. Obernolte. Obernolte, aye.  
2064 \*The Clerk. Mr. Obernolte votes aye.  
2065 \*The Chair. Mr. Hudson?  
2066 \*Mr. Hudson. Hudson votes aye.  
2067 \*The Clerk. Mr. Hudson votes aye.  
2068 \*Mr. Balderson. Madam Chair?  
2069 \*The Chair. Yes?  
2070 \*Mr. Balderson. Balderson votes aye.  
2071 \*The Clerk. Mr. Balderson votes aye.

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2072 \*The Chair. Mr. Balderson.

2073 Any other members seeking to be recorded?

2074 \*Mr. Pallone. I guess not.

2075 \*The Chair. The clerk will report.

2076 [Pause.]

2077 \*The Clerk. Chair Rodgers, on that vote we have 50 ayes  
2078 and 0 noes.

2079 \*The Chair. The ayes have it, and the bill is adopted.

2080 The chair calls up H.R. 752, and asks the clerk to  
2081 report.

2082 \*The Clerk. H.R. 752, to require SelectUSA to  
2083 coordinate with state level economic development  
2084 organizations --

2085 \*The Chair. Without objection, the first reading of the  
2086 bill is dispensed with, and the bill will be open for  
2087 amendment at any point.

2088 So ordered.

2089 [The bill follows:]

2090

2091 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2092

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2093           \*The Chair. Does anyone seek to be recognized on the  
2094 bill?

2095           For what purpose does the gentleman from Indiana seek  
2096 recognition?

2097           \*Mr. Pence. Madam Chair, I move to strike the last  
2098 word.

2099           \*The Chair. The gentleman, Mr. Pence, is recognized for  
2100 five minutes to strike the last word.

2101           \*Mr. Pence. Thank you, Madam Chair. I urge my  
2102 colleagues to join me in supporting H.R. 752, the Securing  
2103 Semiconductor Supply Chains Act, which I co-led with  
2104 Congresswoman Eshoo. This bipartisan bill seeks to uncover  
2105 barriers to expanded foreign direct investment into domestic  
2106 manufacturing for semiconductor chips.

2107           Over the past few years, Hoosiers in southern Indiana  
2108 felt the ripples in our economy caused by shortages of  
2109 semiconductor chips. Auto manufacturers like Honda in  
2110 Greensburg and engine developers like Cummins told me  
2111 firsthand the potential impacts on day-to-day operations  
2112 because of this chip shortage. We learned the hard way that  
2113 our economy cannot rely solely on adversarial nations to

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2114 secure semiconductor chips.

2115 My greatest priority in Congress has been fighting for  
2116 policies that have the opportunity to create good-paying jobs  
2117 for Hoosiers and all Americans. I urge support for this  
2118 bill, and I yield back the balance of my time.

2119 \*The Chair. The gentleman yields back. Is there  
2120 further discussion on the amendment?

2121 The lady from California, Ms. Eshoo, for what purpose do  
2122 you seek recognition?

2123 \*Ms. Eshoo. I move to strike the last word, Madam  
2124 Chairwoman.

2125 \*The Chair. The lady is recognized for five minutes --

2126 \*Ms. Eshoo. Thank you.

2127 \*The Chair. -- to strike the last word.

2128 \*Ms. Eshoo. In 1990 the United States manufactured  
2129 nearly 40 percent of all semiconductors. Today the United  
2130 States manufactures about 12 percent. Not a good number.  
2131 This lack of domestic semiconductor manufacturing poses --  
2132 and we all know this -- it poses a significant risk not only  
2133 to our economy, but our national security. As we witnessed  
2134 recently, the supply chain is fragile and can be disrupted

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2135 easily with really serious consequences.

2136 Last Congress I was proud to vote for the CHIPS and  
2137 Science Act. This is a generational investment to rebuild  
2138 America's semiconductor industry and our manufacturing  
2139 economy. Now, to continue this work, Representative Pence  
2140 and I introduced this legislation, which we are proud of.  
2141 And I thank him and I salute him, not only for his  
2142 leadership, but for his partnership.

2143 This is an important piece of legislation because it  
2144 will direct the Department of Commerce's SelectUSA program to  
2145 develop strategies to attract investment in U.S.  
2146 semiconductor manufacturers and supply chains. It will  
2147 leverage the considerable downpayment that Congress just  
2148 made, and expand opportunities for the private sector to  
2149 invest in American manufacturing.

2150 The United States was once a great manufacturer of  
2151 semiconductors. My congressional district, actually, was  
2152 named for the materials that go into semiconductors. It is  
2153 the Silicon Valley District of California. This bipartisan,  
2154 bicameral bill, along with the investments made in the CHIPS  
2155 and Science Act, will bring the U.S. back to be what we want

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2156 it to be, number one in the world in semiconductor  
2157 manufacturing, and maintain leadership in technological  
2158 innovation.

2159 So I thank Mr. Pence for his leadership and, with that,  
2160 Madam Chairwoman, I yield back the balance of my time.

2161 \*The Chair. The gentlelady yields back. Does anyone  
2162 seek to discuss the bill?

2163 For what purpose does Ms. Matsui seek recognition?

2164 \*Ms. Matsui. Madam Chair, I move to strike the last  
2165 word.

2166 \*The Chair. The lady is recognized for five minutes to  
2167 strike the last word.

2168 \*Ms. Matsui. I want to first thank Mr. Pence and Ms.  
2169 Eshoo for this bill.

2170 As the lead House Democrat on the CHIPS Act, I am no  
2171 stranger to the challenges we face in securing a resilient  
2172 domestic supply chain of semiconductors. The critical  
2173 technology truly underpins our modern economy, but we are not  
2174 where we need to be. When Congressman McCaul and I  
2175 introduced the CHIPS Act, this issue was not receiving the  
2176 attention we felt it deserved. That was until the pandemic

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2177 exposed the vulnerabilities in both the global and domestic  
2178 supply of semiconductors.

2179       Thankfully, Congress stepped up to the plate and passed  
2180 our bill. And just last week, Secretary Raimondo released  
2181 the first notice of funding opportunity. And I have been  
2182 heartened by her progress, and remain committed to working  
2183 with her to get this money out the door quickly. But we all  
2184 know there is more work to be done. I am glad to see this  
2185 committee keeping the drumbeat up on this issue, because our  
2186 adversaries aren't waiting.

2187       The policies in this bill will help ensure we maximize  
2188 the impact of the \$52 billion we secured in the CHIPS Act.  
2189 What we are doing now poses the potential to reassert  
2190 American leadership for a generation. I am committed to that  
2191 work, and I am sure all of us are. Our work is still not  
2192 done, but I am excited to help everyone here advance this  
2193 bill.

2194       Thank you very much. I yield back.

2195       \*The Chair. The gentlelady yields back. Is there  
2196 further discussion on the bill?

2197       Seeing none, the vote occurs on the bill, 752. A roll

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2198 call has been recorded (sic). The clerk will call the roll.

2199 \*The Clerk. Rodgers?

2200 \*The Chair. Aye.

2201 \*The Clerk. Rodgers votes aye.

2202 Burgess?

2203 \*Mr. Burgess. Votes aye.

2204 \*The Clerk. Burgess votes aye.

2205 Latta?

2206 \*Mr. Latta. Aye.

2207 \*The Clerk. Latta votes aye.

2208 Guthrie?

2209 \*Mr. Guthrie. Aye.

2210 \*The Clerk. Guthrie votes aye.

2211 Griffith?

2212 \*Mr. Griffith. Aye.

2213 \*The Clerk. Griffith votes aye.

2214 Bilirakis?

2215 \*Mr. Bilirakis. Aye.

2216 \*The Clerk. Bilirakis votes aye.

2217 Johnson?

2218 [No response.]

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2219           \*The Clerk.   Bucshon?  
2220           \*Mr. Bucshon.   Aye.  
2221           \*The Clerk.   Bucshon votes aye.  
2222           Hudson?  
2223           [No response.]  
2224           \*The Clerk.   Walberg?  
2225           \*Mr. Walberg.   Aye.  
2226           \*The Clerk.   Walberg votes aye.  
2227           Carter?  
2228           \*Mr. Carter.   Aye.  
2229           \*The Clerk.   Carter votes aye.  
2230           Duncan?  
2231           \*Mr. Duncan.   Aye.  
2232           \*The Clerk.   Duncan votes aye.  
2233           Palmer?  
2234           \*Mr. Palmer.   Aye.  
2235           \*The Clerk.   Palmer votes aye.  
2236           Dunn?  
2237           [No response.]  
2238           \*The Clerk.   Curtis?  
2239           \*Mr. Curtis.   [Inaudible.]

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2240 \*The Clerk. Curtis votes aye.

2241 Lesko?

2242 \*Mrs. Lesko. Aye.

2243 \*The Clerk. Lesko votes aye.

2244 Pence?

2245 \*Mr. Pence. Aye.

2246 \*The Clerk. Pence votes aye.

2247 Crenshaw?

2248 \*Mr. Crenshaw. Aye.

2249 \*The Clerk. Crenshaw votes aye.

2250 Joyce?

2251 \*Mr. Joyce. Aye.

2252 \*The Clerk. Joyce votes aye.

2253 Armstrong?

2254 [No response.]

2255 \*The Clerk. Weber?

2256 \*Mr. Weber. Aye.

2257 \*The Clerk. Weber votes aye.

2258 Allen?

2259 \*Mr. Allen. Aye.

2260 \*The Clerk. Allen votes aye.

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2261 Balderson?  
2262 [No response.]  
2263 \*The Clerk. Fulcher?  
2264 \*Mr. Fulcher. Fulcher is aye.  
2265 \*The Clerk. Fulcher votes aye.  
2266 Pfluger?  
2267 \*Mr. Pfluger. [Inaudible.]  
2268 \*The Clerk. Pfluger votes aye.  
2269 Harshbarger?  
2270 \*Mrs. Harshbarger. [Inaudible.]  
2271 \*The Clerk. Harshbarger votes aye.  
2272 Miller-Meeks?  
2273 \*Mrs. Miller-Meeks. [Inaudible.]  
2274 \*The Clerk. Miller-Meeks votes aye.  
2275 Cammack?  
2276 \*Mrs. Cammack. Aye.  
2277 \*The Clerk. Cammack votes aye.  
2278 Obernolte?  
2279 \*Mr. Obernolte. Aye.  
2280 \*The Clerk. Obernolte votes aye.  
2281 Pallone?

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2282 \*Mr. Pallone. Aye.  
2283 \*The Clerk. Pallone votes aye.  
2284 Eshoo?  
2285 \*Ms. Eshoo. Aye.  
2286 \*The Clerk. Eshoo votes aye.  
2287 DeGette?  
2288 \*Ms. DeGette. Aye.  
2289 \*The Clerk. DeGette votes aye.  
2290 Schakowsky?  
2291 \*Ms. Schakowsky. Aye.  
2292 \*The Clerk. Schakowsky votes aye.  
2293 Matsui?  
2294 \*Ms. Matsui. Aye.  
2295 \*The Clerk. Matsui votes aye.  
2296 Castor?  
2297 \*Ms. Castor. [Inaudible.]  
2298 \*The Clerk. Castor votes aye.  
2299 Sarbanes?  
2300 [No response.]  
2301 \*The Clerk. Tonko?  
2302 \*Mr. Tonko. Aye.

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2303           \*The Clerk. Tonko votes aye.  
2304           Clarke?  
2305           \*Ms. Clarke. [Inaudible.]  
2306           \*The Clerk. Clarke votes aye.  
2307           Cardenas?  
2308           \*Mr. Cardenas. Aye.  
2309           \*The Clerk. Cardenas votes aye.  
2310           Ruiz?  
2311           [No response.]  
2312           \*The Clerk. Peters?  
2313           \*Mr. Peters. [Inaudible.]  
2314           \*The Clerk. Peters votes aye.  
2315           Dingell?  
2316           \*Mrs. Dingell. [Inaudible.]  
2317           \*The Clerk. Dingell votes aye.  
2318           Veasey?  
2319           \*Mr. Veasey. Aye.  
2320           \*The Clerk. Veasey votes aye.  
2321           Kuster?  
2322           \*Ms. Kuster. Aye.  
2323           \*The Clerk. Kuster votes aye.

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2324 Kelly?  
2325 \*Ms. Kelly. Aye.  
2326 \*The Clerk. Kelly votes aye.  
2327 Barragan?  
2328 \*Ms. Barragan. Aye.  
2329 \*The Clerk. Barragan votes aye.  
2330 Blunt Rochester?  
2331 \*Ms. Blunt Rochester. Aye.  
2332 \*The Clerk. Blunt Rochester votes aye.  
2333 Soto?  
2334 \*Mr. Soto. Aye.  
2335 \*The Clerk. Soto votes aye.  
2336 Craig?  
2337 [No response.]  
2338 \*The Clerk. Schrier?  
2339 [No response.]  
2340 \*The Clerk. Trahan?  
2341 \*Mrs. Trahan. Aye.  
2342 \*The Clerk. Trahan votes aye.  
2343 Fletcher?  
2344 \*Mrs. Fletcher. Aye.

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2345           \*The Clerk. Fletcher votes aye.

2346           \*The Chair. Any other members seeking to be recorded?

2347           Mr. Hudson?

2348           \*The Clerk. Mr. Ruiz is not recorded.

2349           \*Mr. Ruiz. Aye.

2350           \*The Chair. Oh, yes, Mr. Ruiz.

2351           \*The Clerk. Mr. Ruiz votes aye.

2352           \*The Chair. Mr. Hudson?

2353           \*Mr. Hudson. Hudson votes aye.

2354           \*The Chair. Mr. Johnson?

2355           \*The Clerk. Hudson votes aye.

2356           \*The Chair. Sorry, yes.

2357           \*The Clerk. Mr. Johnson is not recorded.

2358           \*Mr. Johnson. Johnson votes aye.

2359           \*The Clerk. Mr. Johnson votes aye.

2360           \*The Chair. Ms. Craig?

2361           \*Ms. Craig. Craig votes aye.

2362           \*The Clerk. Ms. Craig votes aye.

2363           \*The Chair. Mr. Balderson?

2364           \*Mr. Balderson. Balderson votes aye.

2365           \*The Clerk. Balderson votes aye.



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2388           \*The Chair. Does anyone seek to be recognized on the  
2389 bill?

2390           For what purpose does the gentleman from Indiana seek  
2391 recognition?

2392           \*Mr. Bucshon. I move to strike the last word.

2393           \*The Chair. The gentleman is recognized for five  
2394 minutes.

2395           \*Mr. Bucshon. Thank you, Madam Chairwoman. I am  
2396 grateful that this bill, H.R. 1068, Securing America's  
2397 Critical Minerals Act, made its way through the Energy  
2398 Subcommittee to be part of today's full committee markup.

2399           This bill will provide the Department of Energy a small  
2400 but significant tool to help secure our nation's energy needs  
2401 by ensuring that the Secretary of Energy is engaged  
2402 productively in addressing this multi-faceted issue.  
2403 Currently, many of our critical energy minerals is sourced  
2404 outside of the United States.

2405           The U.S. could produce critical energy minerals cleaner  
2406 and safer than other parts of the world, where production is  
2407 tied to dangerous working conditions, child labor  
2408 exploitation, and extremely low pay. But to do that, DoE

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2409 needs information, and the authority to properly utilize that  
2410 information. This bill will help them do so.

2411 As a supporter of an all-of-the-above energy approach,  
2412 it is crucial that we take steps to safeguard and secure the  
2413 energy resources necessary to keep the lights on, rates down,  
2414 and emissions low. Let's unleash American energy.

2415 I urge my colleagues to support the bill, and I yield  
2416 back.

2417 \*The Chair. The gentleman yields back. Is there  
2418 further discussion on the bill?

2419 \*Mr. Tonko. Madam Chair?

2420 \*The Chair. The gentleman from New York for -- seeks  
2421 recognition for what purpose?

2422 \*Mr. Tonko. Madam Chair, I move to strike the last  
2423 word.

2424 \*The Chair. The gentleman is recognized for five  
2425 minutes.

2426 \*Mr. Tonko. Thank you, Madam Chair. At last week's  
2427 subcommittee markup I raised my concerns about H.R. 1068, and  
2428 I would like to reiterate my opposition today.

2429 As I mentioned in my opening statement, I believe that

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2430 there are -- there is potentially real bipartisan interest in  
2431 strengthening our nation's critical minerals supply chains.  
2432 I acknowledge these minerals are going to be needed for a  
2433 successful clean energy transition. I want to make certain  
2434 they are being sourced in a sustainable, ethical, and  
2435 certainly environmentally sound manner.

2436 I appreciate that H.R. 1068 indicates the need to  
2437 improve reuse and recycling technologies. I believe there is  
2438 substantial work to be done in establishing both safe and  
2439 effective pathways for critical mineral recovery and reuse.  
2440 Recycling may not meet all of our estimated needs, but it  
2441 certainly can help. Not only would this approach support  
2442 domestic jobs, but it would be an alternative that would  
2443 avoid the worst -- the human rights, environmental and energy  
2444 security concerns raised by some of the more troubling  
2445 critical mineral sources.

2446 I also acknowledge that the Department of Energy is  
2447 playing a leading role in developing and securing these  
2448 supply chains. Their efforts, which includes funding from  
2449 the Bipartisan Infrastructure Law to support battery  
2450 manufacturing and critical mineral recycling, are resulting

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2451 in major private sector investments and jobs throughout the  
2452 country.

2453 I certainly do not have a problem with codifying this  
2454 work into DoE's responsibilities, but this bill goes well  
2455 beyond that goal, and that is because this bill encompasses  
2456 much more than critical minerals. There are several  
2457 potential lists of critical minerals we could instead rely  
2458 upon. The U.S. Geological Survey regularly reviews and  
2459 updates its list using up-to-date scientific methods to  
2460 evaluate mineral criticality, and the Inflation Reduction Act  
2461 included a list in the tax code for the purposes of a clean  
2462 vehicle credit.

2463 But the bill before us is -- goes well beyond those  
2464 lists. Under the bill's definition of critical energy  
2465 resources, almost energy -- any energy-related product could  
2466 be determined to be critical, including oil, gas, and,  
2467 indeed, coal.

2468 I am also concerned this bill would have DoE stepping  
2469 into responsibilities that are currently led by EPA and the  
2470 Department of the Interior. If this bill were narrowed to  
2471 give DoE responsibilities based on the Department's expertise

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2472 to consider critical mineral needs in support of our clean  
2473 energy transition, I would look forward to working with my  
2474 colleagues on it.

2475 So I hope we may return to this issue at a later date,  
2476 and work together on policies that will be focused on  
2477 enhancing our critical minerals supply chains, including by  
2478 bringing added transparency to them. In order to protect  
2479 human rights and uphold high labor and environmental  
2480 standards, we must be able to see where minerals are coming  
2481 from and going to. This would also help support domestic  
2482 sources of these minerals, including from recycling  
2483 processes.

2484 I believe trying to authorize DoE's work on this effort  
2485 would be a focused response to a real critical mineral  
2486 challenge. But unfortunately, with the overly-broad  
2487 definition of "critical energy resources," I cannot support  
2488 H.R. 1068. With that, I encourage members to oppose this  
2489 bill.

2490 And Madam Chair, I yield back.

2491 \*Mr. Duncan. [Presiding] The gentleman yields back.

2492 Does anyone, any other member, seek recognition to speak on

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2493 the bill?

2494           Seeing none, are there any bipartisan amendments to the  
2495 bill?

2496           Are there any other amendments to the bill?

2497           \*Mr. Bucshon. Mr. Chairman?

2498           \*Mr. Duncan. Mr. Bucshon is recognized.

2499           \*Mr. Bucshon. I have an amendment at the desk.

2500           \*Mr. Duncan. The clerk will read the amendment.

2501           \*The Clerk. Can Mr. Bucshon please specify the  
2502 amendment?

2503           \*Mr. Bucshon. 1068\_01.

2504           \*The Clerk. Amendment to H.R. 1068, offered by Mr.  
2505 Bucshon. Page 3, line 17, strike "and,'" page 3, line 18,  
2506 insert --

2507           \*Mr. Duncan. Without objection, a further reading of  
2508 the amendment is dispensed with.

2509           [The amendment of Mr. Bucshon follows:]

2510

2511 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2512

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2513           \*Mr. Duncan. And the chair will now recognize Mr.  
2514 Bucshon for five minutes to explain the amendment.

2515           \*Mr. Bucshon. Thank you, Mr. Chairman. My amendment  
2516 makes some clarifications to the underlying bill, following  
2517 technical assistance and discussion on the bill last week.

2518           It is safe to say that everyone on this committee  
2519 recognizes the importance of critical minerals and other  
2520 energy resources necessary to provide for American energy  
2521 needs. We also know we must consider the potential  
2522 vulnerabilities of existing supply chains and domestic  
2523 production and processing capacity. This should be a  
2524 bipartisan goal.

2525           My Democrat colleagues previously raised concerns that  
2526 this bill has the potential to expand DoE authority over  
2527 domestic production. The legislation, with my amendment,  
2528 will provide the Department of Energy with durable cabinet-  
2529 level authority to assess supply chains for critical energy  
2530 resources. Those are the materials of our advanced energy  
2531 systems, materials that are required for a diverse, all-of-  
2532 the-above energy transition.

2533           Additionally, my amendment clarifies that DoE, in

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2534 consultation with other agencies, shall facilitate strategies  
2535 to strengthen our energy supplies without intruding on areas  
2536 led by other agencies, consistent with DoE's central role  
2537 over American energy policy. The amendment makes clear that  
2538 DoE's assessment will include how energy security of the  
2539 United States is affected by the reliance of the United  
2540 States on imports of critical energy resources. DoE is the  
2541 right agency to do this.

2542         The goal is to enable DoE to keep with its historic role  
2543 assuring our nation's energy security to help address supply  
2544 chain vulnerabilities, shortages, and to combat China's  
2545 dominance of critical mineral and material supply chains.  
2546 This legislation and the amendment will address supplies of  
2547 the broader set of energy-related resources important for  
2548 energy systems, the energy technologies, and the energy  
2549 security of the United States.

2550         I urge my colleagues to support this amendment and the  
2551 underlying bill, and I yield back.

2552         \*Mr. Duncan. The gentleman yields back. Does any other  
2553 member seek recognition to speak on the amendment?

2554         Seeing none, now the underlying question is adoption of

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2555 the amendment, the Bucshon amendment.

2556 All those in favor, say aye.

2557 Opposed, no.

2558 And the ayes have it.

2559 Now the vote will be on the bill, as amended. What is  
2560 the number -- 1068 for adoption of the bill, as amendment  
2561 (sic).

2562 All those in favor, say aye?

2563 Opposed, no.

2564 In the opinion of the chair, the ayes have it, and the  
2565 bill is agreed to.

2566 I am sorry?

2567 \*Voice. Roll call.

2568 \*Mr. Duncan. Roll call?

2569 \*Voice. Yes, sir.

2570 \*Mr. Duncan. Okay, a roll call has been requested, so  
2571 the clerk will call the roll.

2572 \*The Clerk. Rodgers?

2573 [No response.]

2574 \*The Clerk. Burgess?

2575 \*Mr. Burgess. Votes aye.

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2576           \*The Clerk. Burgess votes aye.  
2577           Latta?  
2578           \*Mr. Latta. [Inaudible.]  
2579           \*The Clerk. Latta votes aye.  
2580           Guthrie?  
2581           \*Mr. Guthrie. Aye.  
2582           \*The Clerk. Guthrie votes aye.  
2583           Griffith?  
2584           [No response.]  
2585           \*The Clerk. Bilirakis?  
2586           \*Mr. Bilirakis. Aye.  
2587           \*The Clerk. Bilirakis votes aye.  
2588           Johnson?  
2589           [No response.]  
2590           \*The Clerk. Bucshon?  
2591           \*Mr. Bucshon. Aye.  
2592           \*The Clerk. Bucshon votes aye.  
2593           Hudson?  
2594           \*Mr. Hudson. Aye.  
2595           \*The Clerk. Hudson votes aye.  
2596           Walberg?

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2597 \*Mr. Walberg. Aye.  
2598 \*The Clerk. Walberg votes aye.  
2599 Carter?  
2600 \*Mr. Carter. Aye.  
2601 \*The Clerk. Carter votes aye.  
2602 Duncan?  
2603 \*Mr. Duncan. Aye.  
2604 \*The Clerk. Duncan votes aye.  
2605 Palmer?  
2606 \*Mr. Palmer. Aye.  
2607 \*The Clerk. Palmer votes aye.  
2608 Dunn?  
2609 [No response.]  
2610 \*The Clerk. Curtis?  
2611 \*Mr. Curtis. Aye.  
2612 \*The Clerk. Curtis votes aye.  
2613 Lesko?  
2614 \*Mrs. Lesko. Aye.  
2615 \*The Clerk. Lesko votes aye.  
2616 Pence?  
2617 \*Mr. Pence. Aye.

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2618           \*The Clerk. Pence votes aye.  
2619           Crenshaw?  
2620           [No response.]  
2621           \*The Clerk. Joyce?  
2622           \*Mr. Joyce. [Inaudible.]  
2623           \*The Clerk. Joyce votes aye.  
2624           Armstrong?  
2625           [No response.]  
2626           \*The Clerk. Weber?  
2627           \*Mr. Weber. Aye.  
2628           \*The Clerk. Weber votes aye.  
2629           Allen?  
2630           \*Mr. Allen. [Inaudible.]  
2631           \*The Clerk. Allen votes aye.  
2632           Balderson?  
2633           \*Mr. Balderson. Aye.  
2634           \*The Clerk. Balderson votes aye.  
2635           Fulcher?  
2636           \*Mr. Fulcher. Fulcher is aye.  
2637           \*The Clerk. Fulcher votes aye.  
2638           Pfluger?

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2639 \*Mr. Pfluger. Aye.  
2640 \*The Clerk. Pfluger votes aye.  
2641 Harshbarger?  
2642 \*Mrs. Harshbarger. [Inaudible.]  
2643 \*The Clerk. Harshbarger votes aye.  
2644 Miller-Meeks?  
2645 \*Mrs. Miller-Meeks. [Inaudible.]  
2646 \*The Clerk. Miller-Meeks votes aye.  
2647 Cammack?  
2648 \*Mrs. Cammack. Cammack, aye.  
2649 \*The Clerk. Cammack votes aye.  
2650 Obernolte?  
2651 [No response.]  
2652 \*The Clerk. Pallone?  
2653 \*Mr. Pallone. No.  
2654 \*The Clerk. Pallone votes no.  
2655 Eshoo?  
2656 \*Ms. Eshoo. [Inaudible.]  
2657 \*The Clerk. Eshoo votes no.  
2658 DeGette?  
2659 \*Ms. DeGette. No.

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2660           \*The Clerk. DeGette votes no.  
2661           Schakowsky?  
2662           \*Ms. Schakowsky. No.  
2663           \*The Clerk. Schakowsky votes no.  
2664           Matsui?  
2665           \*Ms. Matsui. No.  
2666           \*The Clerk. Matsui votes no.  
2667           Castor?  
2668           \*Ms. Castor. [Inaudible.]  
2669           \*The Clerk. Castor votes no.  
2670           Sarbanes?  
2671           \*Mr. Sarbanes. [Inaudible.]  
2672           \*The Clerk. Sarbanes votes no.  
2673           Tonko?  
2674           \*Mr. Tonko. No.  
2675           \*The Clerk. Tonko votes no.  
2676           Clarke?  
2677           \*Ms. Clarke. No.  
2678           \*The Clerk. Clarke votes no.  
2679           Cardenas?  
2680           \*Mr. Cardenas. No.

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2681           \*The Clerk. Cardenas votes no.  
2682           Ruiz?  
2683           [No response.]  
2684           \*The Clerk. Peters?  
2685           [No response.]  
2686           \*The Clerk. Dingell?  
2687           \*Mrs. Dingell. [Inaudible.]  
2688           \*The Clerk. Dingell votes no.  
2689           Veasey?  
2690           \*Mr. Veasey. No.  
2691           \*The Clerk. Veasey votes no.  
2692           Kuster?  
2693           [No response.]  
2694           \*The Clerk. Kelly?  
2695           \*Ms. Kelly. No.  
2696           \*The Clerk. Kelly votes no.  
2697           Barragan?  
2698           [No response.]  
2699           \*The Clerk. Blunt Rochester?  
2700           \*Ms. Blunt Rochester. [Inaudible.]  
2701           \*The Clerk. Blunt Rochester votes no.

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2702 Soto?

2703 \*Mr. Soto. No.

2704 \*The Clerk. Soto votes no.

2705 Craig?

2706 [No response.]

2707 \*The Clerk. Schrier?

2708 [No response.]

2709 \*The Clerk. Trahan?

2710 \*Mrs. Trahan. No.

2711 \*The Clerk. Trahan votes no.

2712 Fletcher?

2713 \*Mrs. Fletcher. No.

2714 \*The Clerk. Fletcher votes no.

2715 \*The Chair. [Inaudible.]

2716 \*The Clerk. Rodgers is not recorded.

2717 \*The Chair. [Presiding] I vote aye.

2718 Mr. Peters?

2719 \*The Clerk. Mrs. Rodgers votes aye.

2720 \*The Chair. Thank you.

2721 Mr. Peters?

2722 \*Mr. Peters. No.

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2723           \*The Clerk. Mr. Peters votes no.

2724           \*The Chair. Mr. Ruiz?

2725           \*Mr. Ruiz. No.

2726           \*The Clerk. Ruiz votes no.

2727           \*The Chair. Any other member not recorded?

2728           Mr. Johnson?

2729           \*The Clerk. Mr. Johnson is not recorded.

2730           \*Mr. Johnson. Mr. Johnson is aye.

2731           \*The Clerk. Johnson votes aye.

2732           \*Ms. Craig. How is Ms. Craig recorded?

2733           \*The Clerk. Craig is not recorded.

2734           \*Ms. Craig. Craig votes no.

2735           \*The Clerk. Craig votes no.

2736           \*Mr. Obernolte. Obernolte, aye.

2737           \*The Clerk. Obernolte votes aye.

2738           \*The Chair. Any other members not recorded? The clerk

2739 will report the vote.

2740           [Pause.]

2741           \*The Chair. Oh, Ms. Kuster. Ms. Kuster, how is Ms.

2742 Kuster recorded?

2743           \*The Clerk. Ms. Kuster is not recorded.

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2744 \*Ms. Kuster. No.

2745 \*The Clerk. Kuster votes no.

2746 [Pause.]

2747 \*Ms. Barragan. How is Barragan recorded?

2748 \*The Clerk. Barragan is not recorded.

2749 \*Ms. Barragan. [Inaudible.]

2750 \*The Clerk. Barragan votes no.

2751 \*Ms. Barragan. Thank you.

2752 \*Mr. Griffith. How is Griffith recorded?

2753 \*The Clerk. Griffith is not recorded.

2754 \*Mr. Griffith. Griffith votes aye.

2755 \*The Clerk. Griffith votes aye.

2756 [Pause.]

2757 \*The Chair. The clerk will report.

2758 \*The Clerk. Chair Rodgers, on that vote we have 26 ayes  
2759 and 21 noes.

2760 \*The Chair. The ayes have it, and the bill is adopted.

2761 The chair calls up H.R. 1121, and asks the clerk to  
2762 report.

2763 \*The Clerk. H.R. 1121, to prohibit a moratorium on the  
2764 use of hydraulic fracturing.

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2765           \*The Chair. Without objection, the first reading of the  
2766 bill is dispensed with. The bill will be open for amendment  
2767 at any point.

2768           So ordered.

2769           [The bill follows:]

2770

2771           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2772

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2773           \*The Chair. Does anyone seek to be recognized on the  
2774 bill?

2775           For what purpose does the gentleman from South Carolina  
2776 seek recognition?

2777           \*Mr. Duncan. I move to strike the last word.

2778           \*The Chair. Mr. Duncan is recognized for five minutes  
2779 to strike the last word.

2780           \*Mr. Duncan. Thank you, Madam Chair. My bill,  
2781 Protecting the American Energy Production Act, is pretty  
2782 straightforward. It prohibits the president from declaring a  
2783 moratorium on the use of hydraulic fracturing, unless  
2784 Congress authorizes the moratorium.

2785           I remind the committee that hydraulic fracturing happens  
2786 in many states: Oklahoma, North Dakota, Colorado, Texas,  
2787 Pennsylvania, just to name a few.

2788           It also expresses the sense of Congress that states  
2789 should maintain primacy for the regulation of oil and gas  
2790 production on state and private lands.

2791           You know, after the 2008 economic downturn, the states  
2792 that actually did well economically were the energy-producing  
2793 states, many of which I mentioned a minute ago.

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2794           Natural gas is affordable, it is reliable, it is safe,  
2795 and it is abundant. It keeps the lights on when the wind  
2796 isn't blowing and the sun is not shining. It can be used as  
2797 feedstock to create fertilizer to help the nation feed  
2798 itself. It can be transported safely across state lines  
2799 through pipelines, and can be exported across the ocean to  
2800 fuel our allies abroad in times of need. The American people  
2801 need natural gas, and one man should not be able to single  
2802 handedly end fracking without the consent of Congress.

2803           The Administration has been extremely hostile to fossil  
2804 fuels in the midst of an energy crisis. We are already  
2805 beginning to see the consequences of poor energy policies.  
2806 Blackouts are becoming normalized in states like California  
2807 that have become increasingly reliable -- reliant on  
2808 renewable energy, while shutting down access to reliable  
2809 baseload power.

2810           I entered into the record during the subcommittee an  
2811 article from the Wall Street Journal where PJM, which is a  
2812 utility provider, said this: "Fossil fuel power plants are  
2813 retiring much faster than renewable sources are getting  
2814 developed, which could lead to energy imbalances.'" That is

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2815 a delicate way of saying that you can expect shortages and  
2816 blackouts if you take that energy generation out of the mix.

2817 Of course, wind and solar is cheaper when the taxpayer  
2818 is subsidizing the cost. Unfortunately for the ratepayer,  
2819 this is a poor investment. The reality is not all energy is  
2820 the same. Wind and solar energy are simply not as valuable  
2821 as energy stored and natural gas.

2822 Now we truly need an all-of-the-above energy matrix, and  
2823 I think most Republicans support that. We need one that is  
2824 diversified, and ensures we have baseload generation. This  
2825 has to include natural gas. Factories and hospitals do not  
2826 close on a cloudy day. And where renewables fail, natural  
2827 gas can be reliably ramped up to meet that demand. We saw  
2828 that on Christmas Eve. We saw that in Texas.

2829 We don't need to go backwards. Grids don't have to be  
2830 unreliable in the 21st century. Americans should not have to  
2831 settle with blackouts. We need to build out our natural gas  
2832 infrastructure in order to achieve American energy dominance,  
2833 and it begins with our ability to extract it through  
2834 hydraulic fracturing.

2835 The shale revolution has launched America towards energy

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2836 leadership. We became a net exporter of energy, reducing  
2837 prices here at home and undercutting the leverage of our  
2838 Russian -- Vladimir Putin, China and OPEC. The best defense  
2839 against our adversaries is more U.S. energy production that  
2840 can be exported and used here at home to improve the quality  
2841 of lives of so many people around the globe and here in our  
2842 great nation.

2843           So I urge support of H.R. 1121 to increase American  
2844 energy production and restore energy leadership.

2845           And with that, I yield back.

2846           \*The Chair. The gentleman yields back. Is there  
2847 further discussion on the bill?

2848           The lady from Florida, for what purpose do you seek?

2849           \*Ms. Castor. To strike the last word.

2850           \*The Chair. Ms. Castor is recognized for five minutes  
2851 to --

2852           \*Ms. Castor. Thank you, Madam Chair.

2853           \*The Chair. -- strike the last word.

2854           \*Ms. Castor. Madam Chair, if I had to designate a theme  
2855 for the GOP bills out of the Energy Subcommittee today, I  
2856 would call it Polluters Over People.

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2857           The aim of this bill, H.R. 1121, is to tie the hands of  
2858 the president to protect communities and special places where  
2859 hydraulic fracturing should not happen. Fracking can be  
2860 dangerous, destructive, and hazardous to the human health.  
2861 It can contaminate our drinking water, pollute the air.  
2862 Pregnant women, mothers, and babies are at particular risk  
2863 from the toxic chemicals -- from toxic chemical exposure. It  
2864 is known to be tied to possible infertility, miscarriage, and  
2865 cancer.

2866           The Congressional Research Service has also said that  
2867 fracking produces a large amount of wastewater, approximately  
2868 10 barrels of wastewater for every barrel of product. This  
2869 toxic stew also often leaches into the groundwater, including  
2870 the processes of construction, drilling, chemical spills,  
2871 leaks, discharge of wastewater.

2872           And if that is not enough, fracked gas is an instigator  
2873 of methane pollution. Methane traps 80 times more heat in  
2874 the atmosphere than carbon dioxide. Methane leaks from oil  
2875 and gas operations, including pipelines, are accelerating the  
2876 costly impacts of the climate crisis.

2877           We need to do more to protect our communities. We need

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2878 to make sure that the administration has every tool to  
2879 protect special places and the people back home. And  
2880 thankfully, we passed the Inflation Reduction Act in the  
2881 Bipartisan Infrastructure Law last Congress that is now  
2882 expanding cleaner, cheaper energy across America. It is  
2883 lowering costs, it is creating jobs, and it is helping us to  
2884 build healthier communities.

2885 So let's vote no on this bill, and elevate the people's  
2886 interests over the polluters' interests, because this bill  
2887 does not protect the interests of the American people or  
2888 their pocketbooks. It puts the profits of polluters and Big  
2889 Oil and Gas over the people's interests.

2890 So I encourage my colleagues to vote no on this bill,  
2891 and I yield back.

2892 \*The Chair. The lady yields back. Is there further  
2893 discussion on the bill?

2894 The gentleman from Texas, for what purpose do you seek  
2895 recognition?

2896 \*Mr. Burgess. I move to strike the last word.

2897 \*The Chair. Dr. Burgess is recognized for five minutes.

2898 \*Mr. Burgess. Look, this only ties the hands of a

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2899 president who needs his hands tied right now, because the  
2900 American people are suffering under the effects of these  
2901 executive orders that this President has pushed forward.

2902         And look, you don't have to take my word for it. Look  
2903 at the price at the pump. Look at the price at the grocery  
2904 store. This President's unilateral war on energy has been --  
2905 has decimated the American economy, not to mention put us at  
2906 greater risk, as far as our foreign policy.

2907         Now, look, if Congress decides that there is going to be  
2908 greater restrictions, then that is on us. That is the  
2909 Congress. That is what we are supposed to do. But what this  
2910 bill says is that the president cannot change current law.  
2911 Current law was established by this committee in 2005 in the  
2912 Energy Policy Act, and did not place regulations on fracking  
2913 on purpose. Fracking, at the time, was relatively new on the  
2914 scene. But what happened subsequently was the boom in  
2915 natural gas production, so much so that it alarmed Vladimir  
2916 Putin and he tried to get this country to rein in fracking  
2917 because he couldn't compete. He could not compete.

2918         Now, look, the good news is that, since the fracking  
2919 revolution happened, the amount of carbon in the atmosphere

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2920 has diminished year over year since 2005, and America has led  
2921 the way on that. Let us continue to lead the way. Do not  
2922 give the president the authority to unilaterally undo what  
2923 the people's house, what the people's house did back in 2005.

2924 So I thank the chairman of the subcommittee for bringing  
2925 this important sense of Congress to our attention, and we  
2926 should absolutely tie the president's hands when they need to  
2927 be tied. And I yield back --

2928 \*Ms. DeGette. Will the gentleman yield?

2929 \*Mr. Burgess. Yes, I will be happy to yield.

2930 \*Ms. DeGette. I just want to ask the gentleman a  
2931 question, because I am a little confused. Did the President  
2932 issue an executive order having a moratorium on fracking?

2933 \*Mr. Burgess. Reclaiming my time, the President made it  
2934 well known during the 2000 campaign on the few times that he  
2935 did public appearances, in answer to a young woman's  
2936 question, "Yes, I will outlaw fracking.'" That is his  
2937 intention. So what this --

2938 \*Ms. DeGette. I don't think he did it, though.

2939 \*Mr. Burgess. What this sense of Congress does is say,  
2940 no, you cannot do that, Mr. President. And the reason to

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2941 fear that type of activity is because he has done it. He did  
2942 so with the Keystone pipeline. He has done so with other  
2943 energy initiatives as executive orders.

2944 But we are a representative democracy, and that should  
2945 be the purview of the United States Congress, the House of  
2946 Representatives. We have already spoken on this. If it  
2947 needs to be changed, we should be the ones to make that  
2948 change, not the President of the United States.

2949 I yield back.

2950 \*Mr. Griffith. Would the gentleman yield for a  
2951 question?

2952 \*Ms. DeGette. Thank you for calling me a young woman.

2953 \*Mr. Burgess. I am happy to yield to the -- Mr.  
2954 Griffith.

2955 \*Mr. Griffith. So is the gentleman saying that part of  
2956 the reason for this, in his opinion, is that when the  
2957 President did the Keystone XL pipeline, and then we bring  
2958 legislation in today, we are told, "Well, it is already done,  
2959 the President has already done it, that is past history," we  
2960 are trying to be proactive and eliminate the possibility so  
2961 that we don't have to hear our colleagues on the other side

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2962 say, "Well, the President has already done that, it is too  
2963 late to do something''? We are trying to be ahead of it, and  
2964 make sure that we are protecting energy in advance, is that  
2965 correct?

2966 \*Mr. Burgess. That is absolutely correct. Once again,  
2967 I thank the gentleman from Virginia for making me sound  
2968 smarter than I am.

2969 \*Mr. Duncan. Will the gentleman yield?

2970 \*Mr. Burgess. I will yield to the gentleman from South  
2971 Carolina?

2972 \*Mr. Duncan. I thank the chairman, and I want to thank  
2973 the gentleman from Virginia for pointing out that we are a  
2974 constitutional republic. We have three branches of  
2975 government.

2976 The Democrats, you know, they didn't want a Republican  
2977 president unilaterally making law, and that is what this  
2978 President would be doing: unilaterally making law or  
2979 overriding existing law, as the gentleman from Texas pointed  
2980 out.

2981 Congress has a role in governing this nation:  
2982 legislating, debating, talking about the issues our

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2983 constituents care about, debating it, and letting the winner  
2984 win on a floor vote, and passing that bill to an executive  
2985 branch that can sign it. That is how the process is supposed  
2986 to work. It is not supposed to be the unilateral action by a  
2987 dictator in the White House, because that is not how our  
2988 founding fathers designed this republic. We have a role in  
2989 this, and we should never allow a president to unilaterally  
2990 override the will of Congress. As the gentleman from Texas  
2991 pointed out, this is the law. We passed that.

2992         So I thank the gentlemen, both of them, and I yield  
2993 back.

2994         \*Mr. Burgess. Thank you. I yield back.

2995         \*The Chair. Is there further discussion on the bill?  
2996 The ranking member is recognized for five minutes.

2997         \*Mr. Pallone. Thank you. I don't disagree with the  
2998 idea that the legislature has -- in this case, Congress --  
2999 should continue to exercise its power. I do think too much  
3000 authority has been granted to the executive branch, not only  
3001 -- you know, over the last 30, 40 years, if not beyond.

3002         But the point I am trying to make -- and I think Ms.  
3003 DeGette made it -- is that we don't have any reason to

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3004 believe that the President is going to do this. I mean, I  
3005 don't know, he may have made some statements in the past, but  
3006 there is no indication that the White House is going to seek  
3007 this kind of moratorium.

3008         And I just think -- you know, part of my problem here  
3009 with so many of these bills today on the Republican side,  
3010 particularly in the energy and environmental areas, is that,  
3011 you know, I think we are wasting our time, and they are just  
3012 message vehicles because, you know, if there is no  
3013 expectation that something like this is going to happen, it  
3014 is highly unlikely that the Senate would take it up, or even  
3015 consider it.

3016         And I just think that we should be spending our time on  
3017 things that -- you know, problems that we actually have to  
3018 face, rather than, you know, message vehicles that say, oh,  
3019 well, he may do this, and so therefore we should preclude it  
3020 because we think that the legislature has that authority. I  
3021 mean, you could do that for -- you know, we could spend days  
3022 and months just on things like that, and I think it is more  
3023 important for us to deal with things that are actually likely  
3024 to happen.

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3025           So, I mean, you know, I would oppose the bill or the  
3026 resolution, in part, because it is anticipating something  
3027 that we have no reason to believe is going to happen. You  
3028 know, the issue of fracking itself is very complex, but there  
3029 is really no reason to believe that the President is going to  
3030 move forward with this. And so I just think it is kind of a  
3031 waste of time.

3032           I yield back.

3033           \*The Chair. The gentleman yields back. Is there  
3034 further discussion on the bill?

3035           The gentleman from Texas, for what purpose do you seek  
3036 recognition?

3037           \*Mr. Pfluger. Madam Chair, I move to strike the last  
3038 word and speak in support of this bill.

3039           \*The Chair. Mr. Pfluger is recognized for five minutes  
3040 in support --

3041           \*Mr. Pfluger. I thank the chairwoman.

3042           You know, in answering the question of whether or not we  
3043 have reason to believe that the President would do something  
3044 like this, I think we can point to dozens of examples. And I  
3045 will start just after the inauguration in 2021, when we had

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3046 multiple executive orders that were issued assaulting this  
3047 industry. And it was a salvo of different ways to target the  
3048 industry, and it actually started with the permitting and the  
3049 leasing on Federal lands, of which the Permian Basin has  
3050 quite a few acres of Federal lands. I represent Midland-  
3051 Odessa.

3052           And you look at the ways since then which the  
3053 Administration has targeted, and you can go to virtually any  
3054 agency in the United States Government, any department in the  
3055 United States Government, and look at the over-regulatory,  
3056 over-burdensome posture that they have taken to deny the  
3057 industry from actually operating efficiently, and providing  
3058 affordable, reliable energy that needs to be delivered to  
3059 American families, which is one of the leading causes of  
3060 inflation that we have seen.

3061           So, yes, I do believe that we have reason to believe  
3062 this, because we have seen it, we have heard it. It is in  
3063 the rhetoric, and it is in the actual execution of almost  
3064 every piece of legislation, executive orders, and regulatory  
3065 posture that we see coming from the Biden Administration.

3066           And furthermore, I don't think that this is putting

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3067 polluters over people, because you see the decrease in  
3068 emissions and the increase in production that we have shown  
3069 over the past decade or so. And it is just amazing, compared  
3070 to other countries around the world. I think it is high time  
3071 to put Midland over Moscow, and not the opposite.

3072 I yield back.

3073 \*Mr. Palmer. Would the gentleman yield? Would the  
3074 gentleman yield?

3075 \*Mr. Pfluger. Of course I will yield.

3076 \*Mr. Palmer. I thank the gentleman. I move to strike  
3077 the last word and speak in support of this, but I want to  
3078 respond to that comment you just made about elevating Midland  
3079 over Moscow.

3080 There are numerous reports that indicate that Russians'  
3081 propaganda machine has influenced our energy policy in the  
3082 United States. I have got some of these reports here. I am  
3083 doing additional research into this, but I really think this  
3084 committee needs to look into that, Mr. Chairman.

3085 I mean, this goes all the way back to 2016, when  
3086 Secretary of State Hillary Clinton made a statement in a  
3087 speech to a private audience and she said, "We are even up

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3088 against phony environmental groups and I am a big  
3089 environmentalist.'" She said, "But these are funded by the  
3090 Russians.'" Now, why would the Russians have so much  
3091 interest in undermining our energy security? It might be to  
3092 their economic benefit, Mr. Pfluger, would you agree with  
3093 that?

3094 \*Mr. Pfluger. I couldn't agree more, Mr. Palmer.

3095 \*Mr. Palmer. Would -- there is evidence that China is  
3096 involved in this. Do you think this might be a way for them  
3097 to undermine our national security, Mr. Pfluger, do you think  
3098 that might be the case?

3099 \*Mr. Pfluger. Absolutely.

3100 \*Mr. Palmer. I think that there is a lot more here, and  
3101 I think there are a lot of people in our government that have  
3102 been influenced by Russian propaganda, by Chinese propaganda  
3103 that is a serious threat not only to our economic security,  
3104 but to our overall well-being of people here in the United  
3105 States and our national security. And I think we need to  
3106 look into it, Mr. Chairman, and I yield back.

3107 I yield back to the gentleman.

3108 \*Mr. Pfluger. I yield back.

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3109           \*Mr. Duncan. [Presiding] The gentleman yields back.

3110 Any other discussion on the amendment?

3111           Go down there to the end.

3112           \*Mr. Soto. Thank you, Mr. Chairman. You know, we have  
3113 had a long bipartisan history of not wanting fracking in  
3114 Florida. It has been a bipartisan coalition that dates back  
3115 to our Florida legislative days, and now here in the  
3116 Congress. We have also seen a similar coalition with  
3117 offshore drilling.

3118           We get our water from the aquifer. Our top industries  
3119 are tourism and agriculture. In fact, many of you may enjoy  
3120 beef or orange juice from our state, or enjoy the beaches,  
3121 which -- I know I have heard a lot of folks on both sides of  
3122 the aisle talk about that.

3123           You know, President Biden, as do I, recognize there are  
3124 traditional energy states. We heard about Texas, obviously,  
3125 Pennsylvania and other areas.

3126           And look, the good news is natural gas production is  
3127 increasing. It was 98.02 billion cubic feet per day in 2022.  
3128 In 2023 it will estimated to be at 100.34 billion cubic feet  
3129 per day, and in 2024 it will be estimated to be at 102.29

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3130 billion cubic feet per day. And natural gas is a bridge  
3131 fuel, right? It has been helping our state, like Florida and  
3132 others, wean off coal and be a bridge. So we aren't seeing  
3133 this just be attacked or go down. We are seeing production  
3134 continue to rise in the Biden Administration at a responsible  
3135 level.

3136 We are concerned about tying the President's hands.  
3137 There was an attempt, if you could believe it, to try to  
3138 frack in the Everglades region, a region we are spending  
3139 billions of dollars to restore. So especially when we are  
3140 talking about our national parks and areas around them that  
3141 affect them, presidents need to have some discretion. And I  
3142 share the ranking members concern that this committee plays a  
3143 big role in that.

3144 And also, one of the biggest blows to Russia and China  
3145 is the Inflation Reduction Act, boosting renewable energy,  
3146 clean energy, getting away from the petro state that is  
3147 Russia, and putting together major laws that are going to  
3148 allow us to compete with China on the Green Revolution.  
3149 Whoever is able to help harness more solar, green hydrogen,  
3150 wind, and hydro resources, you know, is going to dominate the

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3151 21st century.

3152           And I heard people mention gas. You know, it is around  
3153 \$3 a gallon in central Florida right now, where we are seeing  
3154 things finally get back to a level that I know we all care  
3155 deeply about.

3156           So as we are looking at this, we need to make sure the  
3157 President has discretion so that traditional energy states  
3158 can thrive, while states like mine where tourism and  
3159 agriculture are top state, that we have the discretion to  
3160 work with the President to protect key areas of the country.

3161           And I yield back.

3162           \*Mr. Duncan. Will the gentleman yield to the chair?  
3163 Will the gentleman yield?

3164           \*Mr. Soto. Sure. Only if you allow me --

3165           \*Mr. Duncan. I just wanted to point out -- and you said  
3166 something about national parks -- this deals with state and  
3167 private land, so no national parks would be involved. In  
3168 fact, the existing law already prohibits any sort of drilling  
3169 or energy production, even transmission lines and gas lines,  
3170 on national parks. And --

3171           \*Mr. Soto. Thank you, Chair. Reclaiming my time --

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3172 \*Mr. Duncan. Yes, sir.

3173 \*Mr. Soto. What happened is private land around the  
3174 Everglades that was connected to it people attempted to frack  
3175 on in Collier County. So it was private land adjacent to the  
3176 Everglades.

3177 So I get your point that it doesn't directly affect  
3178 natural park -- national parks, but it was on the private  
3179 land right next to the national park that this controversy  
3180 happened. So that is why we still have that concern. But I  
3181 recognize the legislation --

3182 \*Mr. Duncan. Understood, yes.

3183 \*Mr. Soto. -- doesn't make that distinction.

3184 \*Mr. Duncan. I thank the gentleman. Does anyone else  
3185 seek to be recognized?

3186 \*Mr. Soto. I yield back.

3187 \*Mr. Duncan. The gentleman from Texas, Mr. Weber, is  
3188 recognized for five minutes.

3189 \*Mr. Weber. I move to strike the last word, Mr.  
3190 Chairman, and thank you for the recognition.

3191 To Mr. Palmer's point that Russia has indeed a stake in  
3192 this matter, in 2017 Chairman Lamar Smith, Science Committee,

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3193 and myself, the chairman of the Subcommittee on Energy, sent  
3194 a letter to Steve Mnuchin, because it had been uncovered that  
3195 Russian oligarchs were sending money to a shell corporation  
3196 in Bermuda, who was then forwarding that money to fight  
3197 against fracking, pipelines, nuclear energy to organizations  
3198 like Greenpeace, Sierra Club, and others.

3199         And so our letter to Steve Mnuchin -- and true enough,  
3200 President Trump was in office -- to Secretary Mnuchin was  
3201 that we thought it violated two Federal laws: the Foreign  
3202 Agent Registration Act and also money laundering. And for  
3203 whatever reason, it was never looked into.

3204         Of course, to Mr. Palmer's point, Russia has, indeed, a  
3205 stake in this matter. That is easy to see. They have been  
3206 trying to downplay our fossil fuel, our fracking, our energy  
3207 production for a long time. And sadly, a lot of people have  
3208 bought into that. So that is something that we need to  
3209 overcome, number one.

3210         Number two, yes, we are trying to preempt the President  
3211 of the United States from banning fracking. Of course we  
3212 are, because he doesn't understand the energy that is  
3213 available in this country, and how important it is to

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3214 national security.

3215           When you talk about the Keystone pipeline that comes  
3216 into my district over by Beaumont, 830,000 barrels of product  
3217 a day, you remember that the Colonial pipeline system was  
3218 hacked into a couple of years ago, shut down for four or five  
3219 days. That system, which feeds the entire part of -- the  
3220 southeast part of the United States, carries 3.1 million  
3221 barrels of product: gas, diesel, and jet fuel. At 830,000  
3222 barrels of crude oil a day, the Keystone pipeline is over  
3223 one-fourth of the productivity and output of the entire  
3224 Colonial pipeline system.

3225           The President -- to prove that he doesn't understand,  
3226 notwithstanding his comments and, as Gary pointed out, during  
3227 the campaign that he was going to do a number on fossil  
3228 fuels, to prove that he doesn't understand, furthermore, he  
3229 goes to Venezuela, he goes to Saudi Arabia with a gas can in  
3230 hand, and begs them to produce more oil.

3231           And we are saying, "Mr. President, why don't you come to  
3232 Texas and beg us to produce more oil? There is more oil  
3233 available right here in the United States. There is more  
3234 natural gas available right here in the United States. Let's

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3235 depend on American energy, American jobs, American ingenuity,  
3236 American know-how, jobs for us.''

3237 So that is the reason that we are -- indeed, this bill  
3238 is a good bill. And with that, Mr. Chairman, I yield back.

3239 \*Mr. Duncan. The gentleman yields back. Anyone else  
3240 seeking recognition on the bill?

3241 The gentleman from Georgia is recognized for five  
3242 minutes.

3243 \*Mr. Allen. Thank you, Mr. Chairman. Just a little bit  
3244 of history. Under the Reagan Administration we were  
3245 producing about nine million barrels. In the Obama  
3246 Administration we dropped to six million barrels. Under the  
3247 Trump Administration we increased to almost 13 million  
3248 barrels. And currently we are back down to about 10 million  
3249 barrels of oil.

3250 We consume about 20 million barrels of oil a day. And  
3251 so, obviously, we have to make up that difference. And we  
3252 have -- and, of course, when we were producing 13 million  
3253 barrels of oil, the price of a barrel of oil was between 30  
3254 -- market price was between \$30 and \$40 a barrel, we were  
3255 energy dominant, and we controlled the cost of a barrel of

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3256 oil. That is economic power that we no longer have.

3257           The other problem with natural gas, which -- it was  
3258 mentioned -- and what I am told by those producers is they  
3259 can't get the natural gas where it needs to go. We need  
3260 permits for pipelines. Now, that is what the people on the  
3261 ground are saying. Natural gas burns 42 percent cleaner than  
3262 anything out there compared to coal.

3263           So somewhere in this Administration, they are holding up  
3264 the production of natural gas and the distribution of natural  
3265 gas and the production of oil. What this legislation does,  
3266 it says we are going to put this back in the hands of the  
3267 Congress of the United States, because we are the people's  
3268 house, and we are hearing from the people, and they are tired  
3269 of paying, you know, the cost of a gallon of gasoline and one  
3270 month of their salary.

3271           So we -- I support this legislation, and I yield back.

3272           \*Mr. Curtis. Will the gentleman, Mr. Allen?

3273           \*Mr. Allen. I yield.

3274           \*Mr. Curtis. Thank you. I would like to just point out  
3275 that it was only 15 years ago that Europe was producing as  
3276 much natural gas as Russia. Just 15 years ago. Well, what

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3277 happened? They decided they were too good to frack. So  
3278 today they buy fracked natural gas from Russia.

3279 And I just -- as I listen to this conversation, I have  
3280 to ask myself -- that is great to ban it in certain states,  
3281 and I certainly respect states' ability to do that. But to  
3282 think that they are using less natural gas because they have  
3283 banned it, it is coming from someplace. And by the way, my  
3284 district thanks you, because a lot of it is coming from Utah,  
3285 so we are happy to help with that.

3286 But I think it is sometimes a mistake to say, look, we  
3287 are too good for fracking, but we are okay buying fracked  
3288 natural gas from our enemies, or from someplace that is not  
3289 as clean as ours.

3290 And with that, I yield back.

3291 \*Mr. Duncan. Does the gentleman from Georgia yield  
3292 back?

3293 \*Mr. Allen. [Inaudible.]

3294 \*Mr. Duncan. The gentleman yields back. Any further  
3295 discussion on the bill?

3296 Seeing none, we will now proceed to a vote.

3297 All those in favor of approving H.R. 1121 will say aye.

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3298 Those opposed, no.

3299 In the opinion of the chair, the ayes have it, and a  
3300 roll call vote has been requested. So the clerk will call  
3301 the roll.

3302 \*The Clerk. Rodgers?

3303 [No response.]

3304 \*The Clerk. Burgess?

3305 [No response.]

3306 \*The Clerk. Latta?

3307 \*Mr. Latta. Aye.

3308 \*The Clerk. Latta votes aye.

3309 Guthrie?

3310 \*Mr. Guthrie. Aye.

3311 \*The Clerk. Guthrie votes aye.

3312 Griffith?

3313 \*Mr. Griffith. Aye.

3314 \*The Clerk. Griffith votes aye.

3315 Bilirakis?

3316 \*Mr. Bilirakis. [Inaudible.]

3317 \*The Clerk. Bilirakis votes aye.

3318 Johnson?

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3319           \*Mr. Johnson.   Aye.  
3320           \*The Clerk.   Johnson votes aye.  
3321           Bucshon?  
3322           \*Mr. Bucshon.   Aye.  
3323           \*The Clerk.   Bucshon votes aye.  
3324           Hudson?  
3325           \*Mr. Hudson.   Aye.  
3326           \*The Clerk.   Hudson votes aye.  
3327           Walberg?  
3328           \*Mr. Walberg.   Aye.  
3329           \*The Clerk.   Walberg votes aye.  
3330           Carter?  
3331           \*Mr. Carter.   Aye.  
3332           \*The Clerk.   Carter votes aye.  
3333           Duncan?  
3334           \*Mr. Duncan.   Aye.  
3335           \*The Clerk.   Duncan votes aye.  
3336           Palmer?  
3337           \*Mr. Palmer.   Aye.  
3338           \*The Clerk.   Palmer votes aye.  
3339           Dunn?

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3340 [No response.]  
3341 \*The Clerk. Curtis?  
3342 \*Mr. Dunn. Dunn votes aye.  
3343 \*The Clerk. Dunn votes aye.  
3344 Curtis?  
3345 \*Mr. Curtis. Aye.  
3346 \*The Clerk. Curtis votes aye.  
3347 Lesko?  
3348 \*Mrs. Lesko. Aye.  
3349 \*The Clerk. Lesko votes aye.  
3350 Pence?  
3351 \*Mr. Pence. Aye.  
3352 \*The Clerk. Pence votes aye.  
3353 Crenshaw?  
3354 [No response.]  
3355 \*The Clerk. Joyce?  
3356 \*Mr. Joyce. Aye.  
3357 \*The Clerk. Joyce votes aye.  
3358 Armstrong?  
3359 \*Mr. Armstrong. Yes.  
3360 \*The Clerk. Armstrong votes aye.

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3361 Weber?  
3362 \*Mr. Weber. Aye.  
3363 \*The Clerk. Weber votes aye.  
3364 Allen?  
3365 \*Mr. Allen. Aye.  
3366 \*The Clerk. Allen votes aye.  
3367 Balderson?  
3368 \*Mr. Balderson. Aye.  
3369 \*The Clerk. Balderson votes aye.  
3370 Fulcher?  
3371 \*Mr. Fulcher. Fulcher is aye.  
3372 \*The Clerk. Fulcher votes aye.  
3373 Pfluger?  
3374 \*Mr. Pfluger. Aye.  
3375 \*The Clerk. Pfluger votes aye.  
3376 Harshbarger?  
3377 \*Mrs. Harshbarger. [Inaudible.]  
3378 \*The Clerk. Harshbarger votes aye.  
3379 Miller-Meeks?  
3380 \*Mrs. Miller-Meeks. [Inaudible.]  
3381 \*The Clerk. Miller-Meeks votes aye.

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3382 Cammack?  
3383 \*Mrs. Cammack. [Inaudible.]  
3384 \*The Clerk. Cammack votes aye.  
3385 Obernolte?  
3386 \*Mr. Obernolte. Aye.  
3387 \*The Clerk. Obernolte votes aye.  
3388 Pallone?  
3389 \*Mr. Pallone. No.  
3390 \*The Clerk. Pallone votes no.  
3391 Eshoo?  
3392 \*Ms. Eshoo. No.  
3393 \*The Clerk. Eshoo votes no.  
3394 DeGette?  
3395 \*Ms. DeGette. [Inaudible.]  
3396 \*The Clerk. DeGette votes no.  
3397 Schakowsky?  
3398 [No response.]  
3399 \*The Clerk. Matsui?  
3400 \*Ms. Matsui. No.  
3401 \*The Clerk. Matsui votes no.  
3402 Castor?

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3403 \*Ms. Castor. [Inaudible.]  
3404 \*The Clerk. Castor votes no.  
3405 Sarbanes?  
3406 \*Mr. Sarbanes. No.  
3407 \*The Clerk. Sarbanes votes no.  
3408 Tonko?  
3409 \*Mr. Tonko. No.  
3410 \*The Clerk. Tonko votes no.  
3411 Clarke?  
3412 \*Ms. Clarke. No.  
3413 \*The Clerk. Clarke votes no.  
3414 Cardenas?  
3415 \*Mr. Cardenas. No.  
3416 \*The Clerk. Cardenas votes no.  
3417 Ruiz?  
3418 \*Mr. Ruiz. No.  
3419 \*The Clerk. Ruiz votes no.  
3420 Peters?  
3421 \*Mr. Peters. [Inaudible.]  
3422 \*The Clerk. Peters votes no.  
3423 Dingell?

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3424 \*Mrs. Dingell. [Inaudible.]  
3425 \*The Clerk. Dingell votes no.  
3426 Veasey?  
3427 \*Mr. Veasey. No.  
3428 \*The Clerk. Veasey votes no.  
3429 Kuster?  
3430 \*Ms. Kuster. No.  
3431 \*The Clerk. Kuster votes no.  
3432 Kelly?  
3433 [No response.]  
3434 \*The Clerk. Barragan?  
3435 \*Ms. Barragan. No.  
3436 \*The Clerk. Blunt -- Kelly votes -- Barragan votes no.  
3437 Blunt Rochester?  
3438 [No response.]  
3439 \*The Clerk. Soto?  
3440 \*Mr. Soto. No.  
3441 \*The Clerk. Soto votes no.  
3442 Craig?  
3443 \*Ms. Craig. No.  
3444 \*The Clerk. Craig votes no.

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3445 Schrier?  
3446 [No response.]  
3447 \*The Clerk. Trahan?  
3448 \*Mrs. Trahan. No.  
3449 \*The Clerk. Trahan votes no.  
3450 Fletcher?  
3451 \*Mrs. Fletcher. Yes.  
3452 \*The Clerk. Fletcher votes aye.  
3453 \*Mr. Duncan. Any member who is not recorded?  
3454 \*The Chair. Mr. Chair?  
3455 \*Mr. Duncan. How is Mrs. Rodgers recorded?  
3456 \*The Clerk. Mrs. Rodgers is not recorded.  
3457 \*The Chair. Rodgers votes aye.  
3458 \*The Clerk. Rodgers votes aye.  
3459 \*Mr. Duncan. How is Mr. Burgess recorded?  
3460 \*The Clerk. Mr. Burgess is not recorded.  
3461 \*Mr. Burgess. Burgess votes aye.  
3462 \*The Clerk. Burgess votes aye.  
3463 \*Mr. Duncan. Any other members?  
3464 Ms. Clarke?  
3465 \*The Clerk. Kelly is not recorded.

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3466 \*Ms. Kelly. [Inaudible.]

3467 \*The Clerk. Kelly votes no.

3468 \*Mr. Duncan. Any other members unrecorded?

3469 The clerk will report the total.

3470 [Pause.]

3471 \*The Clerk. Rep. Duncan, on that vote we have 29 ayes  
3472 and 19 noes.

3473 \*Mr. Duncan. The ayes have it, and the bill is reported  
3474 favorably to the House.

3475 The chair will now call up H.R. 1085, and ask the clerk  
3476 to report.

3477 \*The Clerk. H.R. 1085, to require the Secretary of  
3478 Energy to direct the National Petroleum Council to issue a  
3479 report with respect to petrochemical refineries in the United  
3480 States, and for other purposes.

3481 \*Mr. Duncan. Without objection, the first reading of  
3482 the bill is dispensed with, and the bill is open for  
3483 amendment at any point.

3484 So ordered.

3485 [The bill follows:]

3486

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3487 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3488

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3489           \*Mr. Duncan. Does anyone seek to be recognized on the  
3490 bill?

3491           Mr. Latta is recognized for five minutes.

3492           \*Mr. Latta. Well, thank you, Mr. Chairman, and sorry  
3493 about my allergies, but strike the last word.

3494           \*Mr. Duncan. The gentleman is recognized.

3495           \*Mr. Latta. Well, thank you very much, Mr. Chairman.

3496           Over the past several weeks, in both our legislative  
3497 hearing and our Energy Subcommittee markup, I have had the  
3498 opportunity to speak on my legislation, the REFINER Act,  
3499 which aims to address the problems we are facing when it  
3500 comes to boosting our petrochemical refining capacity in this  
3501 country.

3502           And now I am going to repeat myself, but it bears  
3503 repeating, how important it is the United States addresses  
3504 the problem of our reduced refining capacity. With the  
3505 closure of or repurposing of refineries, many of the  
3506 remaining refineries are struggling to keep up with the  
3507 energy demand. Less refining capacity means increased fuel  
3508 prices, which of course, are passed on to consumers.

3509           H.R. 1085, the REFINER Act, will direct the National

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3510 Petroleum Council to examine the importance of petrochemical  
3511 refineries to energy security, and issue a report that  
3512 contains an analysis of these refineries and opportunities to  
3513 expand capacity. This legislation will give us the answers  
3514 we need to restore America's ability to meet the energy  
3515 demands of our constituents and into the future.

3516 I urge my colleagues to approve H.R. 1085 and, Mr.  
3517 Chairman, I yield back the balance of my time.

3518 \*Mr. Duncan. The gentleman yields back. Does anyone  
3519 else seek to be recognized?

3520 The gentleman -- ranking member from New Jersey is  
3521 recognized.

3522 \*Mr. Pallone. Thank you, Chairman. I would like to  
3523 speak in opposition to H.R. 1085.

3524 Frankly, there are a number of issues with this bill  
3525 that are inspiring my opposition. The first is that the bill  
3526 requires that the National Petroleum Council carry out the  
3527 study on U.S. refining capacity. Now, while the NPC is a  
3528 valuable consultative body for the Department of Energy, it  
3529 is, at the end of the day, an advisory body representing the  
3530 views of the oil and gas industry. So the commercial

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3531 interests of NPC's various members are impossible to  
3532 disentangle from its recommendations. And it is not the  
3533 proper body, in my opinion, to write an objective report to  
3534 Congress on declining refining capacity.

3535         If the majority wanted an unbiased report, they could  
3536 have asked the GAO to write the report. They even could have  
3537 asked the GAO to consult with the NPC if they wanted to make  
3538 sure that industry's perspectives were included. But the  
3539 fact that there is not an unbiased author involved in the  
3540 process gives away the majority's game here a bit, and I  
3541 don't think this committee needs to indulge the industry  
3542 anymore.

3543         I also want to note something that is lacking in the  
3544 requirements for the report. The bill asks the NPC to assess  
3545 any Federal or state executive actions, regulations, or  
3546 policies that have caused the decline in American refining  
3547 capacity. But unfortunately, the bill purposely, I think,  
3548 leaves out statutory changes such as the lifting of the crude  
3549 oil export ban from the list of changes that the NPC is  
3550 directed to consider.

3551         The lifting of the crude oil export ban in 2015 is the

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3552 main driver of the refinery closures we have seen over the  
3553 last 7 years. A GAO analysis published in 2020 found that  
3554 the repeal of the crude oil export ban narrowed margins for  
3555 crude oil refineries, refineries that, at least on the East  
3556 Coast, eventually went out of business. Refineries on the  
3557 East Coast were particularly hard hit, as they depended on  
3558 supplies of domestic crude, crude, which after the export ban  
3559 was lifted, was shipped internationally rather than to these  
3560 refineries here in the United States.

3561 So according to the data from the Energy Information  
3562 Administration, the refining capacity of East Coast  
3563 refineries has decreased by 36 percent since the lifting of  
3564 the ban in 2015. And I know that at one of the hearings that  
3565 we had this year, this was brought out dramatically.

3566 So, you know, the problem is the bill addresses none of  
3567 these factors that I am raising. It puts its thumb on the  
3568 scale for the report, weighing in for a pre-determined and  
3569 desired outcome from the -- you know, influenced by oil and  
3570 gas, and I can't support it, and I would urge members of this  
3571 committee to oppose the bill.

3572 And I yield back.

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3573           \*Mr. Duncan. The gentleman yields back. Are there any  
3574 other members seeking to be recognized on the bill?

3575           Seeing none, we will now call up the vote on H.R. 1085.

3576           All those in favor, say aye.

3577           Opposed, no.

3578           In the opinion of the chair, the ayes have it. A roll  
3579 call vote has been requested. The clerk will report the --  
3580 or call the roll.

3581           \*The Clerk. Rodgers?

3582           [No response.]

3583           \*The Clerk. Burgess?

3584           \*Mr. Burgess. [Inaudible.]

3585           \*The Clerk. Burgess votes aye.

3586           Latta?

3587           \*Mr. Latta. Aye.

3588           \*The Clerk. Latta votes aye.

3589           Guthrie?

3590           [No response.]

3591           \*The Clerk. Griffith?

3592           \*Mr. Griffith. Aye.

3593           \*The Clerk. Griffith votes aye.

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3594 Bilirakis?  
3595 [No response.]  
3596 \*The Clerk. Johnson?  
3597 [No response.]  
3598 \*The Clerk. Bucshon?  
3599 [No response.]  
3600 \*The Clerk. Hudson?  
3601 \*Mr. Hudson. [Inaudible.]  
3602 \*The Clerk. Hudson votes aye.  
3603 Walberg?  
3604 \*Mr. Walberg. Aye.  
3605 \*The Clerk. Walberg votes aye.  
3606 Carter?  
3607 [No response.]  
3608 \*The Clerk. Duncan?  
3609 \*Mr. Duncan. Aye.  
3610 \*The Clerk. Duncan votes aye.  
3611 Palmer?  
3612 \*Mr. Palmer. Aye.  
3613 \*The Clerk. Palmer votes aye.  
3614 Dunn?

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3615           \*Mr. Dunn.   Aye.  
3616           \*The Clerk.   Dunn votes aye.  
3617           Curtis?  
3618           [No response.]  
3619           \*The Clerk.   Lesko?  
3620           \*Mrs. Lesko.   Aye.  
3621           \*The Clerk.   Lesko votes aye.  
3622           Pence?  
3623           \*Mr. Pence.   Aye.  
3624           \*The Clerk.   Pence votes aye.  
3625           Crenshaw?  
3626           [No response.]  
3627           \*The Clerk.   Joyce?  
3628           \*Mr. Joyce.   Joyce votes aye.  
3629           \*The Clerk.   Joyce votes aye.  
3630           Armstrong?  
3631           \*Mr. Armstrong.   Yes.  
3632           \*The Clerk.   Armstrong votes aye.  
3633           Weber?  
3634           [No response.]  
3635           \*The Clerk.   Allen?

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3636 \*Mr. Allen. Aye.  
3637 \*The Clerk. Allen votes aye.  
3638 Balderson?  
3639 \*Mr. Balderson. [Inaudible.]  
3640 \*The Clerk. Balderson votes aye.  
3641 Fulcher?  
3642 [No response.]  
3643 \*The Clerk. Pfluger?  
3644 \*Mr. Pfluger. Aye.  
3645 \*The Clerk. Pfluger votes aye.  
3646 Harshbarger?  
3647 \*Mrs. Harshbarger. [Inaudible.]  
3648 \*The Clerk. Harshbarger votes aye.  
3649 Miller-Meeks?  
3650 \*Mrs. Miller-Meeks. [Inaudible.]  
3651 \*The Clerk. Miller-Meeks votes aye.  
3652 Cammack?  
3653 [No response.]  
3654 \*The Clerk. Obernolte?  
3655 \*Mr. Obernolte. Aye.  
3656 \*The Clerk. Obernolte votes aye.

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3657 Pallone?  
3658 \*Mr. Pallone. No.  
3659 \*The Clerk. Pallone votes no.  
3660 Eshoo?  
3661 \*Ms. Eshoo. No.  
3662 \*The Clerk. Eshoo votes no.  
3663 DeGette?  
3664 \*Ms. DeGette. No.  
3665 \*The Clerk. DeGette votes no.  
3666 Schakowsky?  
3667 \*Ms. Schakowsky. No.  
3668 \*The Clerk. Schakowsky votes no.  
3669 Matsui?  
3670 \*Ms. Matsui. No.  
3671 \*The Clerk. Matsui votes no.  
3672 Castor?  
3673 \*Ms. Castor. [Inaudible.]  
3674 \*The Clerk. Castor votes no.  
3675 Sarbanes?  
3676 \*Mr. Sarbanes. No.  
3677 \*The Clerk. Sarbanes votes no.

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3678 Tonko?  
3679 \*Mr. Tonko. No.  
3680 \*The Clerk. Tonko votes no.  
3681 Clarke?  
3682 [No response.]  
3683 \*The Clerk. Cardenas?  
3684 [No response.]  
3685 \*The Clerk. Ruiz?  
3686 \*Mr. Ruiz. No.  
3687 \*The Clerk. Ruiz votes no.  
3688 Peters?  
3689 \*Mr. Peters. [Inaudible.]  
3690 \*The Clerk. Peters votes no.  
3691 Dingell?  
3692 \*Mrs. Dingell. No.  
3693 \*The Clerk. Dingell votes no.  
3694 Veasey?  
3695 \*Mr. Veasey. Aye.  
3696 \*The Clerk. Veasey votes aye.  
3697 Kuster?  
3698 \*Ms. Kuster. [Inaudible.]

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3699           \*The Clerk. Kuster votes no.  
3700           Kelly?  
3701           \*Ms. Kelly. No.  
3702           \*The Clerk. Kelly votes no.  
3703           Barragan?  
3704           \*Ms. Barragan. No.  
3705           \*The Clerk. Barragan votes no.  
3706           Blunt Rochester?  
3707           [No response.]  
3708           \*The Clerk. Soto?  
3709           \*Mr. Soto. No.  
3710           \*The Clerk. Soto votes no.  
3711           Craig?  
3712           \*Ms. Craig. No.  
3713           \*The Clerk. Craig votes no.  
3714           Schrier?  
3715           [No response.]  
3716           \*The Clerk. Trahan?  
3717           [No response.]  
3718           \*The Clerk. Fletcher?  
3719           \*Mrs. Fletcher. Aye.

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3720 \*The Clerk. Fletcher votes aye.  
3721 \*Mr. Cardenas. How is Cardenas recorded?  
3722 \*Mr. Duncan. Any members wishing to be recorded?  
3723 How is Mr. Johnson recorded?  
3724 \*The Clerk. Mr. Johnson is not recorded.  
3725 \*Mr. Johnson. Aye.  
3726 \*The Clerk. Mr. Johnson votes aye.  
3727 \*Mr. Duncan. Is Mr. Bucshon recorded?  
3728 \*The Clerk. Mr. Bucshon is not recorded.  
3729 \*Mr. Bucshon. Aye.  
3730 \*The Clerk. Mr. Bucshon votes aye.  
3731 \*Mr. Duncan. How is Mr. Carter recorded?  
3732 \*The Clerk. Mr. Carter is not recorded.  
3733 \*Mr. Carter. Aye.  
3734 \*The Clerk. Carter votes aye.  
3735 \*Mr. Duncan. Mr. Curtis?  
3736 \*The Clerk. Mr. Curtis is not recorded.  
3737 \*Mr. Curtis. Curtis votes aye.  
3738 \*The Clerk. Curtis votes aye.  
3739 \*Mr. Duncan. Bilirakis?  
3740 \*The Clerk. Bilirakis is not recorded.

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3741 \*Mr. Bilirakis. Bilirakis votes aye.  
3742 \*The Clerk. Bilirakis votes aye.  
3743 \*Mr. Duncan. Chairwoman Rodgers?  
3744 \*Mr. Guthrie. Guthrie votes aye, Guthrie votes aye.  
3745 \*The Clerk. Chair Rodgers is not recorded.  
3746 \*The Chair. Rodgers votes aye.  
3747 \*Mr. Duncan. Mr. Guthrie?  
3748 \*Mr. Guthrie. Guthrie votes aye.  
3749 \*The Clerk. Guthrie votes aye.  
3750 \*Mr. Duncan. Weber?  
3751 \*The Clerk. Weber is not recorded.  
3752 \*Mr. Weber. Weber votes aye.  
3753 \*The Clerk. Weber votes aye.  
3754 \*Mr. Duncan. And Mr. Fulcher, how is he recorded?  
3755 \*The Clerk. Fulcher is not recorded.  
3756 \*Mr. Fulcher. Fulcher is aye.  
3757 \*The Clerk. Fulcher votes aye.  
3758 \*Mr. Duncan. Mr. Cardenas?  
3759 \*The Clerk. Cardenas is not recorded.  
3760 \*Mr. Cardenas. No.  
3761 \*The Clerk. Cardenas votes no.

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3762 \*Mr. Duncan. Ms. Clarke?

3763 \*Ms. Clarke. How am I recorded?

3764 \*The Clerk. Ms. Clarke is not recorded.

3765 \*Ms. Clarke. No.

3766 \*The Clerk. Clarke votes no.

3767 \*Mr. Duncan. Any other members not recorded?

3768 \*The Clerk. Crenshaw is not recorded.

3769 \*Mr. Crenshaw. Aye.

3770 \*The Clerk. Crenshaw votes aye.

3771 \*Mr. Duncan. Are there any other members wishing to  
3772 change or cast a vote?

3773 Hearing none, the clerk will report the total.

3774 [Pause.]

3775 \*The Clerk. Rep. Duncan, on that vote we have 30 ayes  
3776 and 18 noes.

3777 \*Mr. Duncan. The ayes have it, and the bill will be  
3778 reported favorably to the House.

3779 The chair will now call up H.R. 1058, the Promoting  
3780 Cross-border Energy Infrastructure Act.

3781 \*The Clerk. Committee print of H.R. 1058, as forwarded  
3782 by the Subcommittee on Energy, Climate, and Grid Security.

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3783 Section 1, short title. This act may be --

3784 \*Mr. Duncan. Without objection, the first reading of  
3785 the bill is dispensed with, and the bill will be open for  
3786 amendment at any time.

3787 So ordered.

3788

3789 [The bill follows:]

3790

3791 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3792

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3793 \*Mr. Duncan. Does anyone seek recognition on the bill?

3794 Mr. Armstrong is recognized for five minutes.

3795 \*Mr. Armstrong. Thank you, Mr. Chair.

3796 Trade of oil, natural gas, and electricity between the  
3797 United States, Mexico, and Canada has created an integrated  
3798 market for energy products. Canada, one of our closest  
3799 allies, is one of our most important and largest energy  
3800 product trading partners. The expansion of cross-border  
3801 energy infrastructure is an essential part of strengthening  
3802 our alliance and increasing energy trade across the North  
3803 American continent, yet there is a surprising lack of statute  
3804 governing cross-border infrastructure build-out.

3805 Congress has never asserted its authority to establish a  
3806 regime for permitting cross-border energy projects. Instead,  
3807 agencies have relied on a series of executive orders,  
3808 creating a process that is ad hoc at best, and political at  
3809 worst.

3810 As Mrs. Fletcher noted during the Energy Subcommittee  
3811 markup, developers need regulatory certainty when  
3812 constructing energy infrastructure projects, and the current  
3813 system fluctuates every four years following a Presidential

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3814 election. A statutory process like that established through  
3815 H.R. 1058 would be more efficient, transparent, and effective  
3816 for project developers.

3817 It is important to note that this bill is not new, and  
3818 the committee has a long history with promoting cross-border  
3819 energy infrastructure. Similar versions of this bill have  
3820 been subject to hearings, markups, and passed the House with  
3821 bipartisan support.

3822 This committee has heard testimony from FERC,  
3823 stakeholders, and expert witnesses about the implementation  
3824 and benefits associated with this bill. That said, we need  
3825 to clarify some tired misconceptions surrounding H.R. 1058.

3826 First is regarding a presumption of public interest. As  
3827 I mentioned earlier, both Canada and Mexico are significant  
3828 trading partners. Encouraging connected markets, strong  
3829 multinational relationships, and increased energy trade  
3830 between our nearest neighbors is certainly within the public  
3831 interest.

3832 Several of my colleagues have also raised concerns about  
3833 what they perceive as contradictory deadlines in the bill.  
3834 There are two deadlines of note. The first is a 30-day

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3835 deadline in subsection B for FERC to approve the import or  
3836 export of natural gas to and from Canada or Mexico. The  
3837 other is a 120-day deadline in subsection A for agencies to  
3838 issue the relevant permits for facilities. These deadlines  
3839 do not contradict one another. The first reference is  
3840 applications for import or export from existing facilities;  
3841 the second applies to the issuance of certain certificates to  
3842 construct a facility after a NEPA review is completed.

3843         Lastly, some have expressed concern about the State  
3844 Department or Department of Defense not being involved in the  
3845 cross-border permitting process. Nothing in this bill  
3846 prevents FERC from coordinating with either of these  
3847 agencies. FERC is the primary energy regulator, and should  
3848 be where a large portion of this authority should rest.

3849         It is time to take the politics out of infrastructure  
3850 project development, and provide a clear and simple statutory  
3851 structure to foster regulatory certainty and streamline  
3852 project development. I urge a yes vote on the Promoting  
3853 Cross-border Energy Infrastructure Act because ad hoc and  
3854 political project denial has gone on for long enough.

3855         And with that, I yield back.

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3856 \*Mr. Duncan. The gentleman yields back. Is anyone --  
3857 any other member seeking recognition?

3858 The gentlelady from Florida is recognized.

3859 \*Ms. Castor. I have an amendment at the desk, Mr.  
3860 Chair.

3861 \*Mr. Duncan. The gentlelady has an amendment at the  
3862 desk. The clerk will report the amendment.

3863 \*The Clerk. Can the member please specify the  
3864 amendment?

3865 \*Ms. Castor. Castor amendment 03.

3866 \*The Clerk. O three, you said?

3867 [No response.]

3868 \*The Clerk. Just to clarify, FCN\_03?

3869 \*Ms. Castor. Correct.

3870 \*The Clerk. Thank you. Amendment to the committee  
3871 print for H.R. 1058, offered by Ms. Castor. Page 3, line  
3872 22 --

3873 \*Mr. Duncan. Without objection, further reading of the  
3874 amendment is dispensed with.

3875 [The amendment of Ms. Castor follows:]

3876

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3877 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3878

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3879           \*Mr. Duncan. And the gentlelady is recognized to  
3880 explain the amendment.

3881           \*Ms. Castor. Thank you, Mr. Chairman.

3882           Members, I think we will have to be careful not to pass  
3883 bills that elevate the profits of polluters over the  
3884 interests of the people we represent back home. This is  
3885 important, especially in light of the testimony we received  
3886 during the subcommittee hearing around the tie -- the  
3887 correlation between increased LNG exports to increased  
3888 prices, the fact that this bill would -- and this is a quote  
3889 from the witness testimony -- encourage the construction of  
3890 cross-border pipelines to Mexico designed to re-export U.S.-  
3891 produced natural gas from LNG terminals in Mexico.

3892           I am very worried about the unintended consequences  
3893 here, because let's -- I see higher prices for my folks at  
3894 home, and here is why. Just this week in Florida, the Public  
3895 Service Commission approved a rate hike of 9.8 percent for  
3896 electric bills starting next month. This is directly tied to  
3897 the fact that -- I know this is going to surprise you because  
3898 Florida is the Sunshine State, but in Florida 74 percent of  
3899 our state's electricity generation is tied to fracked gas.

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3900           So when you have increased frack gas prices, this means  
3901 that folks in my state have higher AC bills, electric bills.  
3902 It is a cost on businesses. Millions of Floridians can  
3903 expect higher electric bills next month. If they live in the  
3904 Florida Power and Light service area, their bill will go up  
3905 from about \$130 per month to \$149 per month. If you live in  
3906 the Duke Energy Service area, it is estimated your bill will  
3907 go up from about \$165 per month to \$172 per month. In my  
3908 area, in the Tampa Electric Company, bills are predicted to  
3909 rise from about \$147 a month to \$161 per month.

3910           So my amendment would prohibit the bill from going into  
3911 effect until the Secretary of Energy certifies that the bill  
3912 will not increase oil, gas, diesel, natural gas, or electric  
3913 bills. That is it. If my friends and colleagues on the  
3914 other side of the aisle maintain that this bill will lower  
3915 prices, that is fine, then they should support my amendment.

3916           However, I am very concerned about this, because these  
3917 are very high bills. This is a -- we should be investing in  
3918 cleaner, cheaper energy, using the abundant resources that  
3919 are free, come from the sun, come from the wind, come from  
3920 energy efficiency, rather than doubling down on these

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3921 expensive volatile fuels.

3922 But in any event, this bill will help us ensure that  
3923 electric bills and other bills are not going to rise by  
3924 promoting the cross-border provisions.

3925 So I urge you all to support my amendment, put the  
3926 people's interest over polluted profits, and I yield back my  
3927 time.

3928 \*Mr. Duncan. The gentlelady yields back.

3929 \*Mr. Walberg. Mr. Chairman?

3930 \*Mr. Duncan. Mr. Walberg is recognized.

3931 \*Mr. Walberg. I would like to strike the last word to  
3932 speak in opposition to this amendment, and to support the  
3933 bill.

3934 Responsibly increasing energy infrastructure will help  
3935 decrease prices for consumers. In the past two years we have  
3936 witnessed how hostile this Administration is to producing  
3937 more American energy. This amendment guts the bill by  
3938 effectively delaying implementation of this important  
3939 provision by allowing the Secretary to not act on a permit  
3940 application.

3941 H.R. 1058, the Promoting Cross-border Energy

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3942 Infrastructure Act, would establish a more uniform,  
3943 transparent, and more modern process to authorize  
3944 construction, operation, and maintenance of international  
3945 border crossing facilities for oil and natural gas, and the  
3946 transmission of electricity.

3947 By taking the approval power away from the political  
3948 impulses of the White House, and firmly placing it with the  
3949 expert agencies, FERC and Department of Energy, H.R. 1058  
3950 will increase regulatory certainty for cross-border  
3951 facilities, and improve project outcomes.

3952 Despite concerns we heard from my Democrat colleagues,  
3953 and hear now with this amendment, it explicitly states that  
3954 both FERC and DoE can consult other appropriate Federal  
3955 agencies in issuing certificates. It doesn't cut the  
3956 Department of State or DoD out of the process.

3957 The legislation also includes the text of my PIPES Act,  
3958 which prohibits the president from revoking any presidential  
3959 permit or authorization for the construction, operation, or  
3960 maintenance of any cross-border oil or natural gas pipeline  
3961 or electric transmission facility. The amendment was  
3962 included with bipartisan support.

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3963           During the subcommittee markup I heard statements that  
3964 questioned whether these cross-border pipelines and  
3965 facilities are in the public interest. So let me go through  
3966 briefly just a few of the reasons they are.

3967           Pipelines are safer and more environmentally friendly to  
3968 transport oil and gas than both rail and truck. We have seen  
3969 that recently. Canada and Mexico are some of our closest and  
3970 most important allies. Spurning them through inconsistent  
3971 action from the White House impacts all three countries'  
3972 economies.

3973           Just one pipeline, Line 5 in Michigan, transports the  
3974 majority of Michigan's propane needs that people use to heat  
3975 their homes, as well as hundreds of thousands of barrels per  
3976 day of light crude oil and light synthetic crude. It is how  
3977 the planes that we take back and forth from many places,  
3978 including Michigan to D.C., are fueled. If we close the  
3979 pipeline, nearly 34,000 jobs could be lost across the  
3980 Midwest, and could result in a \$20.8 billion loss in economic  
3981 activity.

3982           As a reminder, the legislation isn't just about  
3983 pipelines. We are talking cross-border transmission lines,

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3984 as well. And a recent study found that advancing  
3985 intercontinental electricity transmission systems could  
3986 reduce up to 10 percent -- 10 percent -- of carbon dioxide  
3987 emissions alone. Cross-border transmission facilities also  
3988 make our grid more resilient and lowers costs for consumers  
3989 for air conditioning, as well. How are these facilities not  
3990 in the public interest?

3991 The approval and revocation of cross-border facilities  
3992 should not be up to the whims of the president. H.R. 1058  
3993 would provide regulatory certainty for these essential  
3994 industries and our significant energy trading partners.

3995 I encourage my colleagues to support the legislation and  
3996 oppose this amendment, and I yield back.

3997 \*The Chair. [Presiding] Is there further discussion on  
3998 the amendment?

3999 The vote occurs on the -- is it an amendment? An  
4000 amendment, Castor amendment.

4001 All those in favor, say aye?

4002 Those opposed, no.

4003 The noes have it, the amendment is not adopted.

4004 Are there further amendments?

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4005 She -- the lady, Ms. Castor, asked for a roll call vote.

4006 The clerk will call the roll.

4007 \*The Clerk. Rodgers?

4008 \*The Chair. No.

4009 \*The Clerk. Rodgers votes no.

4010 Burgess?

4011 \*Mr. Burgess. Votes no.

4012 \*The Clerk. Burgess votes no.

4013 Latta?

4014 [No response.]

4015 \*The Clerk. Guthrie?

4016 \*Mr. Guthrie. No.

4017 \*Mr. Latta. No.

4018 \*The Clerk. Latta votes no.

4019 \*Mr. Guthrie. No.

4020 \*The Clerk. Guthrie votes no.

4021 Griffith?

4022 [No response.]

4023 \*The Clerk. Bilirakis?

4024 \*Mr. Bilirakis. No.

4025 \*The Clerk. Bilirakis votes no.

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4026 Johnson?  
4027 \*Mr. Johnson. No.  
4028 \*The Clerk. Johnson votes no.  
4029 Bucshon?  
4030 [No response.]  
4031 \*The Clerk. Hudson?  
4032 \*Mr. Hudson. [Inaudible.]  
4033 \*The Clerk. Hudson votes no.  
4034 Walberg?  
4035 \*Mr. Walberg. No.  
4036 \*The Clerk. Walberg votes no.  
4037 Carter?  
4038 [No response.]  
4039 \*The Clerk. Duncan?  
4040 [No response.]  
4041 \*The Clerk. Palmer?  
4042 [No response.]  
4043 \*The Clerk. Dunn?  
4044 \*Mr. Dunn. Dunn votes no.  
4045 \*The Clerk. Dunn votes no.  
4046 Curtis?

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4047 \*Mr. Curtis. [Inaudible.]  
4048 \*The Clerk. Curtis votes no.  
4049 Lesko?  
4050 \*Mrs. Lesko. No.  
4051 \*The Clerk. Lesko votes no.  
4052 Pence?  
4053 \*Mr. Pence. No.  
4054 \*The Clerk. Pence votes no.  
4055 Crenshaw?  
4056 \*Mr. Crenshaw. No.  
4057 \*The Clerk. Crenshaw votes no.  
4058 Joyce?  
4059 \*Mr. Joyce. No.  
4060 \*The Clerk. Joyce votes no.  
4061 Armstrong?  
4062 \*Mr. Armstrong. No.  
4063 \*The Clerk. Armstrong votes no.  
4064 Weber?  
4065 \*Mr. Weber. No.  
4066 \*The Clerk. Weber votes no.  
4067 Allen?

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4068 \*Mr. Allen. No.  
4069 \*The Clerk. Allen votes no.  
4070 Balderson?  
4071 \*Mr. Balderson. [Inaudible.]  
4072 \*The Clerk. Balderson votes no.  
4073 Fulcher?  
4074 \*Mr. Fulcher. [Inaudible.]  
4075 \*The Clerk. Fulcher votes no.  
4076 Pfluger?  
4077 [No response.]  
4078 \*The Clerk. Harshbarger?  
4079 \*Mrs. Harshbarger. Votes no.  
4080 \*The Clerk. Harshbarger votes no.  
4081 Miller-Meeks?  
4082 \*Mrs. Miller-Meeks. [Inaudible.]  
4083 \*The Clerk. Miller-Meeks votes no.  
4084 Cammack?  
4085 \*Mrs. Cammack. No.  
4086 \*The Clerk. Cammack votes no.  
4087 Obernolte?  
4088 \*Mr. Obernolte. No.

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4089           \*The Clerk. Obernolte votes no.  
4090           Pallone?  
4091           \*Mr. Pallone. Aye.  
4092           \*The Clerk. Pallone votes aye.  
4093           Eshoo?  
4094           \*Ms. Eshoo. Aye.  
4095           \*The Clerk. Eshoo votes aye.  
4096           DeGette?  
4097           \*Ms. DeGette. Aye.  
4098           \*The Clerk. DeGette votes aye.  
4099           Schakowsky?  
4100           \*Ms. Schakowsky. Aye.  
4101           \*The Clerk. Schakowsky votes aye.  
4102           Matsui?  
4103           \*Ms. Matsui. Aye.  
4104           \*The Clerk. Matsui votes aye.  
4105           Castor?  
4106           \*Ms. Castor. Aye.  
4107           \*The Clerk. Castor votes aye.  
4108           Sarbanes?  
4109           \*Mr. Sarbanes. Aye.

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4110 \*The Clerk. Sarbanes votes aye.  
4111 Tonko?  
4112 \*Mr. Tonko. Aye.  
4113 \*The Clerk. Tonko votes aye.  
4114 Clarke?  
4115 \*Ms. Clarke. Aye.  
4116 \*The Clerk. Clarke votes aye.  
4117 Cardenas?  
4118 \*Mr. Cardenas. Aye.  
4119 \*The Clerk. Cardenas votes aye.  
4120 Ruiz?  
4121 \*Mr. Ruiz. Aye.  
4122 \*The Clerk. Ruiz votes aye.  
4123 Peters?  
4124 [No response.]  
4125 \*The Clerk. Dingell?  
4126 \*Mrs. Dingell. Aye.  
4127 \*The Clerk. Dingell votes aye.  
4128 Veasey?  
4129 \*Mr. Veasey. Aye.  
4130 \*The Clerk. Veasey votes aye.

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4131 Kuster?  
4132 [No response.]  
4133 \*The Clerk. Kelly?  
4134 [No response.]  
4135 \*The Clerk. Barragan?  
4136 [No response.]  
4137 \*The Clerk. Blunt Rochester?  
4138 [No response.]  
4139 \*Ms. Kelly. [Inaudible.]  
4140 \*The Clerk. Kelly? Kelly votes aye.  
4141 Blunt Rochester?  
4142 \*Ms. Blunt Rochester. [Inaudible.]  
4143 \*The Clerk. Blunt Rochester votes aye.  
4144 Soto?  
4145 \*Mr. Soto. Aye.  
4146 \*The Clerk. Soto votes aye.  
4147 Craig?  
4148 \*Ms. Craig. Aye.  
4149 \*The Clerk. Craig votes aye.  
4150 Schrier?  
4151 [No response.]

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4152           \*The Clerk. Trahan?  
4153           [No response.]  
4154           \*The Clerk. Fletcher?  
4155           \*Mrs. Fletcher. Aye.  
4156           \*The Clerk. Fletcher votes aye.  
4157           \*The Chair. How is Mr. Carter recorded?  
4158           \*The Clerk. Mr. Curtis is not recorded.  
4159           \*The Chair. Mr. Carter?  
4160           \*The Clerk. Excuse me, Mr. Carter.  
4161           \*Mr. Carter. No.  
4162           \*The Clerk. Mr. Carter votes no.  
4163           \*The Chair. Is Mr. Palmer reported, recorded?  
4164           \*The Clerk. Mr. Palmer is not recorded.  
4165           \*Mr. Palmer. No.  
4166           \*The Clerk. Mr. Palmer votes no.  
4167           \*The Chair. Is Mr. Duncan recorded?  
4168           \*The Clerk. Mr. Duncan is not recorded.  
4169           \*Mr. Duncan. [Inaudible.]  
4170           \*The Clerk. Mr. Duncan votes no.  
4171           \*The Chair. How is Mr. Pfluger recorded?  
4172           \*The Clerk. Mr. Pfluger is not recorded.

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

4173 \*Mr. Pfluger. [Inaudible.]  
4174 \*The Clerk. Mr. Pfluger votes no.  
4175 \*The Chair. How is Dr. Bucshon recorded?  
4176 \*The Clerk. Dr. Bucshon is not recorded.  
4177 \*Mr. Bucshon. No.  
4178 \*The Chair. How is Ms. --  
4179 \*Voice. Mr. Curtis.  
4180 \*The Clerk. Dr. Bucshon votes no.  
4181 \*The Chair. How is Ms. Barragan recorded?  
4182 \*The Clerk. Barragan is not recorded.  
4183 \*Ms. Barragan. [Inaudible.]  
4184 \*The Clerk. Barragan votes aye.  
4185 \*The Chair. How is Mr. Curtis recorded?  
4186 \*Mr. Griffith. Mr. Griffith?  
4187 \*The Clerk. Mr. Curtis is recorded as no.  
4188 Mr. --  
4189 \*Mr. Griffith. Mr. Griffith?  
4190 \*The Clerk. Mr. Griffith is not recorded.  
4191 \*Mr. Griffith. Mr. Griffith votes no.  
4192 \*The Clerk. Mr. Griffith votes no.  
4193 \*Mr. Pallone. Anybody on the other side?

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4194 \*The Chair. Everybody is eating.

4195 Are you recorded?

4196 Is Mr. Peters recorded?

4197 \*Mr. Peters. Yes.

4198 \*The Clerk. Mr. Peters is not recorded.

4199 Mr. Peters votes aye.

4200 [Pause.]

4201 \*The Chair. The clerk will report.

4202 \*The Clerk. Chair Rodgers, on that vote we have 20 ayes  
4203 and 29 noes.

4204 \*The Chair. The noes have it. The amendment is not  
4205 adopted.

4206 Are there further amendments on the bill?

4207 Are we on an ANS, or --

4208 \*Voice. We just finished an amendment, and there is no  
4209 ANS --

4210 \*The Chair. Okay, okay. Further amendment, is that --  
4211 is there --

4212 \*Mr. Pallone. Mark, does Mark have an amendment?

4213 \*The Chair. Mr. Veasey, for what purpose do you seek  
4214 recognition?

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4215           \*Mr. Veasey. Madam Chair, I have an amendment at the  
4216 desk numbered 1058 FCN05.

4217           \*The Chair. The clerk will report the amendment.

4218           \*The Clerk. Amendment to the committee print for H.R.  
4219 1058, offered by Mr. Veasey. Page 5, after line 5, insert  
4220 the following. Scope of NEPA Review. Nothing in this act or  
4221 the amendments made by this act shall affect the scope of any  
4222 review required to be conducted under section 102 of the  
4223 National Environmental Policy Act.

4224           \*The Chair. The reading of the amendment is dispensed  
4225 with, without objection.

4226

4227

4228

4229           [The amendment of Mr. Veasey follows:]

4230

4231           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

4232

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4233           \*The Chair. The gentleman is recognized for five  
4234 minutes in support of his amendment.

4235           \*Mr. Veasey. Madam Chair, when the House last debated  
4236 this bill in 2017, I filed an amendment to the bill on the  
4237 floor, and Representative Gene Green, who was then a member  
4238 of the committee, was kind enough to offer it for me then.

4239           The amendment was simple. It just clarified that  
4240 nothing in the bill impacted the scope of any environmental  
4241 review required under NEPA for a cross-border energy project.

4242           I can say that the amendment passed the House by a voice  
4243 vote six years ago, with bipartisan support. Markwayne  
4244 Mullin, who is now a member of the other body, supported my  
4245 amendment, so I was surprised when I saw that -- the bill  
4246 before us at last week's markup, because this bill is,  
4247 literally, identical. It is identical to the version that  
4248 was passed on the floor six years ago, with three exceptions.  
4249 Two of those exceptions are technical changes. The third is  
4250 that my bipartisan amendment is gone.

4251           My amendment that I am bringing forward today would  
4252 simply restore the exact text that my amendment added six  
4253 years ago. I sincerely hope that the exclusion of the

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4254 language was simply careless drafting, rather than a more  
4255 purposeful exclusion, again, since we have already done this  
4256 in a very bipartisan manner.

4257 With that, Madam Chair, I thank you, and I yield back.

4258 \*The Chair. Is there further discussion on the -- the  
4259 gentleman yields back. Is there further discussion on the  
4260 amendment?

4261 The gentleman from North Dakota, for what purpose do you  
4262 seek recognition?

4263 \*Mr. Armstrong. Madam Chair, I would like to speak in  
4264 opposition to the amendment.

4265 \*The Chair. Mr. Armstrong is recognized for five  
4266 minutes in opposition.

4267 \*Mr. Armstrong. Thank you, Madam Chair.

4268 The amendment is unnecessary. The underlying bill does  
4269 not change any environmental law agencies, any environmental  
4270 law agency must follow in issuing certificates for cross-  
4271 border electric transmission or oil and gas facilities.

4272 I wasn't here six years ago, but I would have opposed it  
4273 then, as well, if the underlying legislation was the same,  
4274 because the underlying bill does not alter the requirements

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4275 for any agency under an existing environmental law, including  
4276 NEPA.

4277 The amendment is, in my opinion, a messaging amendment  
4278 that does not functionally change the underlying bill, and is  
4279 unnecessary.

4280 And so with that, I would yield back.

4281 \*The Chair. The gentleman yields back. Is there  
4282 further discussion on the amendment?

4283 The ranking member.

4284 \*Mr. Pallone. Thank you, Madam Chair. I would like to  
4285 express support for my colleague Mr. Veasey's amendment. But  
4286 I also note that, while the amendment represents an important  
4287 addition to the bill, it unfortunately does not fix the  
4288 underlying problems with the bill.

4289 The underlying bill still gets rid of traditional FERC  
4290 and Department of Energy consultations with the Departments  
4291 of State and Defense for natural gas pipelines and  
4292 transmission lines. It asks FERC and DoE to transform  
4293 themselves from energy regulators into referees of  
4294 international affairs. It also asks FERC to site oil  
4295 pipelines, an activity the agency has never done before,

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4296 without any additional revenues to build the staff capacity  
4297 necessary to do so.

4298           It has contradictory deadlines for natural gas imports  
4299 and exports to Mexico, and these are not new issues with the  
4300 bill. They were all present in the bill that this committee  
4301 voted on six years ago, and it is a shame that our majority  
4302 ignored them and is ignoring them now -- particularly that  
4303 they stripped Mr. Veasey's amendment that was approved by  
4304 voice vote on the floor from the bill.

4305           So I urge my colleagues to support Mr. Veasey's  
4306 amendment, but still oppose the underlying bill.

4307           And I yield back.

4308           \*The Chair. The gentleman yields back. Is there  
4309 further discussion on the bill -- on the amendment?

4310           Seeing none, the question is on the amendment.

4311           All those in favor, say aye.

4312           Those opposed, no.

4313           The noes have it. The amendment is not agreed to.

4314           Mr. Veasey requested a recorded vote. The clerk will  
4315 call the roll.

4316           \*The Clerk. Rodgers?

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4317           \*The Chair. No.  
4318           \*The Clerk. Rodgers votes no.  
4319           Burgess?  
4320           \*Mr. Burgess. Burgess votes no.  
4321           \*The Clerk. Burgess votes no.  
4322           Latta?  
4323           \*Mr. Latta. No.  
4324           \*The Clerk. Latta votes no.  
4325           Guthrie?  
4326           \*Mr. Guthrie. No.  
4327           \*The Clerk. Guthrie votes no.  
4328           Griffith?  
4329           [No response.]  
4330           \*The Clerk. Bilirakis?  
4331           \*Mr. Bilirakis. No.  
4332           \*The Clerk. Bilirakis votes no.  
4333           Johnson?  
4334           \*Mr. Johnson. No.  
4335           \*The Clerk. Johnson votes no.  
4336           Bucshon?  
4337           [No response.]

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4338           \*The Clerk. Hudson?  
4339           [No response.]  
4340           \*The Clerk. Walberg?  
4341           [No response.]  
4342           \*The Clerk. Carter?  
4343           [No response.]  
4344           \*The Clerk. Duncan?  
4345           [No response.]  
4346           \*The Clerk. Palmer?  
4347           [No response.]  
4348           \*The Clerk. Dunn?  
4349           \*Mr. Dunn. Dunn votes no.  
4350           \*The Clerk. Dunn votes no.  
4351           Curtis?  
4352           \*Mr. Curtis. No.  
4353           \*The Clerk. Curtis votes no.  
4354           Lesko?  
4355           \*Mrs. Lesko. No.  
4356           \*The Clerk. Lesko votes no.  
4357           Pence?  
4358           \*Mr. Pence. No.

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4359           \*The Clerk. Pence votes no.  
4360           Crenshaw?  
4361           \*Mr. Crenshaw. [Inaudible.]  
4362           \*The Clerk. Crenshaw votes no.  
4363           Joyce?  
4364           \*Mr. Joyce. [Inaudible.]  
4365           \*The Clerk. Joyce votes no.  
4366           Armstrong?  
4367           \*Mr. Armstrong. No.  
4368           \*The Clerk. Armstrong votes no.  
4369           Weber?  
4370           [No response.]  
4371           \*The Clerk. Allen?  
4372           \*Mr. Allen. No.  
4373           \*The Clerk. Allen votes no.  
4374           Balderson?  
4375           \*Mr. Balderson. [Inaudible.]  
4376           \*The Clerk. Balderson votes no.  
4377           Fulcher?  
4378           \*Mr. Fulcher. Fulcher, no.  
4379           \*The Clerk. Fulcher votes no.

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4380 Pfluger?  
4381 \*Mr. Pfluger. No.  
4382 \*The Clerk. Pfluger votes no.  
4383 Harshbarger?  
4384 \*Mrs. Harshbarger. No.  
4385 \*The Clerk. Harshbarger votes no.  
4386 Miller-Meeks?  
4387 [No response.]  
4388 \*The Clerk. Cammack?  
4389 \*Mrs. Cammack. No.  
4390 \*The Clerk. Cammack votes no.  
4391 Obernolte?  
4392 \*Mr. Obernolte. [Inaudible.]  
4393 \*The Clerk. Obernolte votes no.  
4394 Pallone?  
4395 \*Mr. Pallone. Aye.  
4396 \*The Clerk. Pallone votes aye.  
4397 Eshoo?  
4398 \*Ms. Eshoo. Aye.  
4399 \*The Clerk. Eshoo votes aye.  
4400 DeGette?

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4401           \*Ms. DeGette. Aye.  
4402           \*The Clerk. DeGette votes aye.  
4403           Schakowsky?  
4404           \*Ms. Schakowsky. Aye.  
4405           \*The Clerk. Schakowsky votes aye.  
4406           Matsui?  
4407           \*Ms. Matsui. Aye.  
4408           \*The Clerk. Matsui votes aye.  
4409           Castor?  
4410           [No response.]  
4411           \*The Clerk. Sarbanes?  
4412           \*Mr. Sarbanes. Aye.  
4413           \*The Clerk. Sarbanes votes aye.  
4414           Tonko?  
4415           \*Mr. Tonko. Aye.  
4416           \*The Clerk. Tonko votes aye.  
4417           Clarke?  
4418           \*Ms. Clarke. Aye.  
4419           \*The Clerk. Clarke votes aye.  
4420           Cardenas?  
4421           \*Mr. Cardenas. Aye.

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4422           \*The Clerk. Cardenas votes aye.  
4423           Ruiz?  
4424           \*Mr. Ruiz. Aye.  
4425           \*The Clerk. Ruiz votes aye.  
4426           Peters?  
4427           [No response.]  
4428           \*The Clerk. Dingell?  
4429           \*Mrs. Dingell. Aye.  
4430           \*The Clerk. Dingell votes aye.  
4431           Veasey?  
4432           \*Mr. Veasey. Aye.  
4433           \*The Clerk. Veasey votes aye.  
4434           Kuster?  
4435           [No response.]  
4436           \*The Clerk. Kelly?  
4437           \*Ms. Kelly. [Inaudible.]  
4438           \*The Clerk. Kelly votes aye.  
4439           Barragan?  
4440           \*Ms. Barragan. Aye.  
4441           \*The Clerk. Barragan votes aye.  
4442           Blunt Rochester?

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4443 \*Ms. Blunt Rochester. Aye.  
4444 \*The Clerk. Blunt Rochester votes aye.  
4445 Soto?  
4446 \*Mr. Soto. Aye.  
4447 \*The Clerk. Soto votes aye.  
4448 Craig?  
4449 \*Ms. Craig. Aye.  
4450 \*The Clerk. Craig votes aye.  
4451 Schrier?  
4452 [No response.]  
4453 \*The Clerk. Trahan?  
4454 [No response.]  
4455 \*The Clerk. Fletcher?  
4456 \*Mrs. Fletcher. Aye.  
4457 \*The Clerk. Fletcher votes aye.  
4458 \*The Chair. [Inaudible.]  
4459 \*The Clerk. Mr. Duncan is not recorded.  
4460 \*Mr. Duncan. [Inaudible.]  
4461 \*The Clerk. Mr. Duncan votes no.  
4462 \*The Chair. [Inaudible.]  
4463 \*The Clerk. Mr. Carter is not recorded.

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4464 \*Mr. Carter. No.

4465 \*The Clerk. Mr. Carter votes no.

4466 \*The Chair. [Inaudible.]

4467 \*The Clerk. Mr. Bucshon is not recorded.

4468 \*Mr. Bucshon. No.

4469 \*The Clerk. Mr. Bucshon votes no.

4470 \*The Chair. [Inaudible.]

4471 \*The Clerk. Mr. Griffith is not recorded.

4472 \*Mr. Griffith. Griffith votes no.

4473 \*The Clerk. Mr. Griffith votes no.

4474 \*The Chair. [Inaudible.]

4475 \*The Clerk. Mr. Palmer is not recorded.

4476 \*Mr. Palmer. No.

4477 \*The Clerk. Palmer votes no.

4478 \*The Chair. Mr. Walberg?

4479 \*The Clerk. Mr. Walberg is not recorded.

4480 \*Mr. Walberg. No.

4481 \*The Clerk. Walberg votes no.

4482 \*The Chair. [Inaudible.]

4483 \*The Clerk. Ms. Castor is not recorded.

4484 \*Ms. Castor. Votes aye.

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4485           \*The Clerk. Castor votes aye.  
4486           \*The Chair. [Inaudible.]  
4487           \*The Clerk. Mr. Peters is not recorded.  
4488           \*Mr. Peters. Aye.  
4489           \*The Clerk. Peters votes aye.  
4490           \*The Chair. Hudson?  
4491           \*The Clerk. Mr. Hudson is not recorded.  
4492           \*Mr. Hudson. No.  
4493           \*The Clerk. Hudson votes no.  
4494           [Pause.]  
4495           \*The Clerk. Chair Rodgers, on that vote we have 20 ayes  
4496 and 27 noes.  
4497           \*The Chair. Mr. Veasey amendment is not adopted.  
4498           Are there further amendments?  
4499           Seeing none, the question now occurs on approving H.R.  
4500 1058, as amended -- without amendments.  
4501           \*Voice. It has been amended.  
4502           \*The Chair. It has been amended, okay. The question  
4503 now occurs on approving H.R. 1058, as amendment -- amended.  
4504 A roll call has been requested. The clerk will call the  
4505 roll.

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4506           \*The Clerk.  Rodgers?  
4507           \*The Chair.  Aye.  
4508           \*The Clerk.  Rodgers votes aye.  
4509           Burgess?  
4510           [No response.]  
4511           \*The Clerk.  Latta?  
4512           \*Mr. Latta.  Aye.  
4513           \*The Clerk.  Latta votes aye.  
4514           Guthrie?  
4515           \*Mr. Guthrie.  Aye.  
4516           \*The Clerk.  Guthrie votes aye.  
4517           Griffith?  
4518           [No response.]  
4519           \*The Clerk.  Bilirakis?  
4520           \*Mr. Bilirakis.  Aye.  
4521           \*The Clerk.  Bilirakis votes aye.  
4522           Johnson?  
4523           \*Mr. Johnson.  Aye.  
4524           \*The Clerk.  Johnson votes aye.  
4525           Bucshon?  
4526           [No response.]

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4527           \*The Clerk. Hudson?  
4528           [No response.]  
4529           \*The Clerk. Walberg?  
4530           [No response.]  
4531           \*The Clerk. Carter?  
4532           [No response.]  
4533  
4534           \*The Clerk. Duncan? Mr. Duncan?  
4535           \*Mr. Duncan. Aye.  
4536           \*The Clerk. Mr. Duncan votes aye.  
4537           Palmer?  
4538           \*Mr. Palmer. Aye.  
4539           \*The Clerk. Palmer votes aye.  
4540           Dunn?  
4541           \*Mr. Dunn. Dunn votes aye.  
4542           \*The Clerk. Dunn votes aye.  
4543           Curtis?  
4544           \*Mr. Curtis. [Inaudible.]  
4545           \*The Clerk. Curtis votes aye.  
4546           Lesko?  
4547           \*Mrs. Lesko. Aye.

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4548           \*The Clerk. Lesko votes aye.  
4549           Pence?  
4550           \*Mr. Pence. Aye.  
4551           \*The Clerk. Pence votes aye.  
4552           Crenshaw?  
4553           \*Mr. Crenshaw. Aye.  
4554           \*The Clerk. Crenshaw votes aye.  
4555           Joyce?  
4556           \*Mr. Joyce. Aye.  
4557           \*The Clerk. Joyce votes aye.  
4558           Armstrong?  
4559           \*Mr. Armstrong. Yes.  
4560           \*The Clerk. Armstrong votes aye.  
4561           Weber?  
4562           \*Mr. Weber. Aye.  
4563           \*The Clerk. Weber votes aye.  
4564           \*Mr. Allen. Aye.  
4565           \*The Clerk. Allen votes aye.  
4566           Balderson?  
4567           \*Mr. Balderson. [Inaudible.]  
4568           \*The Clerk. Balderson votes aye.

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4569 Fulcher?  
4570 \*Mr. Fulcher. Fulcher, aye.  
4571 \*The Clerk. Fulcher votes aye.  
4572 Pfluger?  
4573 \*Mr. Pfluger. Aye.  
4574 \*The Clerk. Pfluger votes aye.  
4575 Harshbarger?  
4576 \*Mrs. Harshbarger. Aye.  
4577 \*The Clerk. Harshbarger votes aye.  
4578 Miller-Meeks?  
4579 \*Mrs. Miller-Meeks. Aye.  
4580 \*The Clerk. Miller-Meeks votes aye.  
4581 Cammack?  
4582 \*Mrs. Cammack. Aye.  
4583 \*The Clerk. Cammack votes aye.  
4584 Obernolte?  
4585 \*Mr. Obernolte. Aye.  
4586 \*The Clerk. Obernolte votes aye.  
4587 Pallone?  
4588 \*Mr. Pallone. No.  
4589 \*The Clerk. Pallone votes no.

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4590 Eshoo?  
4591 \*Ms. Eshoo. No.  
4592 \*The Clerk. Eshoo votes no.  
4593 DeGette?  
4594 \*Ms. DeGette. No.  
4595 \*The Clerk. DeGette votes no.  
4596 Schakowsky?  
4597 \*Ms. Schakowsky. No.  
4598 \*The Clerk. Schakowsky votes no.  
4599 Matsui?  
4600 \*Ms. Matsui. No.  
4601 \*The Clerk. Matsui votes no.  
4602 Castor?  
4603 \*Ms. Castor. [Inaudible.]  
4604 \*The Clerk. Castor votes no.  
4605 Sarbanes?  
4606 \*Mr. Sarbanes. No.  
4607 \*The Clerk. Sarbanes votes no.  
4608 Tonko?  
4609 \*Mr. Tonko. No.  
4610 \*The Clerk. Tonko votes no.

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4611 Clarke?  
4612 \*Ms. Clarke. [Inaudible.]  
4613 \*The Clerk. Clarke votes no.  
4614 Cardenas?  
4615 \*Mr. Cardenas. No.  
4616 \*The Clerk. Cardenas votes no.  
4617 Ruiz?  
4618 \*Mr. Ruiz. No.  
4619 \*The Clerk. Ruiz votes no.  
4620 Peters?  
4621 \*Mr. Peters. [Inaudible.]  
4622 \*The Clerk. Peters votes no.  
4623 Dingell?  
4624 \*Mrs. Dingell. [Inaudible.]  
4625 \*The Clerk. Dingell votes no.  
4626 Veasey?  
4627 \*Mr. Veasey. No.  
4628 \*The Clerk. Veasey votes no.  
4629 Kuster?  
4630 [No response.]  
4631 \*The Clerk. Kelly?

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4632 \*Ms. Kelly. [Inaudible.]  
4633 \*The Clerk. Kelly votes no.  
4634 Barragan?  
4635 \*Ms. Barragan. No.  
4636 \*The Clerk. Barragan votes no.  
4637 Blunt Rochester?  
4638 \*Ms. Blunt Rochester. [Inaudible.]  
4639 \*The Clerk. Blunt Rochester votes no.  
4640 Soto?  
4641 \*Mr. Soto. [Inaudible.]  
4642 \*The Clerk. Soto votes no.  
4643 Craig?  
4644 \*Ms. Craig. No.  
4645 \*The Clerk. Craig votes no.  
4646 Schrier?  
4647 [No response.]  
4648 \*The Clerk. Trahan?  
4649 [No response.]  
4650 \*The Clerk. Fletcher?  
4651 \*Mrs. Fletcher. No.  
4652 \*The Clerk. Fletcher votes no.

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

4653           \*The Chair. [Inaudible.]

4654           \*The Clerk. Mr. Walberg is not recorded.

4655           \*Mr. Walberg. Aye.

4656           \*The Clerk. Mr. Walberg votes aye.

4657           \*The Chair. Dr. Burgess?

4658           \*The Clerk. Dr. Burgess is not recorded.

4659           \*Mr. Burgess. Votes aye.

4660           \*The Clerk. Burgess votes aye.

4661           \*The Chair. How is Mr. Carter recorded?

4662           \*The Clerk. Carter is not recorded.

4663           \*Mr. Carter. Aye.

4664           \*The Clerk. Carter votes aye.

4665           \*The Chair. How is Mr. Hudson recorded?

4666           \*The Clerk. Mr. Hudson is not recorded.

4667           \*Mr. Hudson. Aye.

4668           \*The Clerk. Hudson votes aye.

4669           \*The Chair. How is Mr. Griffith --

4670           \*The Clerk. Mr. Griffith is not recorded.

4671           \*Mr. Griffith. Aye.

4672           \*The Clerk. Griffith votes aye.

4673           [Pause.]

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4674 \*The Chair. The clerk will report.

4675 \*The Clerk. Chair Rodgers, on that vote we have 28 ayes  
4676 and 20 noes.

4677 \*The Chair. The ayes have it, and the bill is adopted.

4678 The chair calls up H.Con.Res. 14, and asks the clerk to  
4679 report.

4680 \*The Clerk. H.Con.Res. 14, a concurrent resolution  
4681 expressing disapproval of the revocation by President Biden  
4682 of the presidential permit for the Keystone XL pipeline.

4683 \*The Chair. The reading of the resolution is dispensed  
4684 with, and the resolution will be open for amendment at any  
4685 point.

4686 So ordered.

4687 [The bill follows:]

4688

4689 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

4690

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

4691           \*The Chair. Does anyone seek to be recognized on the  
4692 resolution?

4693           For what purpose does the lady from Arizona seek to be  
4694 recognized?

4695           \*Mrs. Lesko. Madam Chairwoman, I would like to explain  
4696 my bill.

4697           \*The Chair. The lady is recognized for five minutes.

4698           \*Mrs. Lesko. Madam Chairwoman, I am proud to sponsor  
4699 House Concurrent Resolution 14, expressing disapproval of the  
4700 revocation by President Biden of the presidential permit for  
4701 the Keystone XL pipeline.

4702           On September 16, 2019, President Biden said, "I want you  
4703 to look at my eyes. I guarantee you, I guarantee you, we are  
4704 going to end fossil fuel.'" Canceling the Keystone pipeline  
4705 was just Biden's first step.

4706           This is a simple resolution, and I hope my colleagues on  
4707 both sides of the aisle will support it. The Keystone XL  
4708 pipeline was once a bipartisan issue that at least one of our  
4709 Democrat colleagues on this committee supported.

4710           It is important, as members of this committee, to  
4711 periodically express our disapproval when the president makes

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4712 unwise, unilateral decisions that affect millions of  
4713 Americans and costs the U.S. Treasury billions of dollars.  
4714 This is the first time that this committee has had the  
4715 opportunity to voice our opinion on this disastrous decision;  
4716 the previous Congress largely ignored this issue.

4717 Canceling the pipeline was a reckless, out-of-touch  
4718 decision, and it must be addressed. President Biden's  
4719 actions were wrong in five ways.

4720 Canceling the Keystone pipeline did not actually stop  
4721 the drilling or exporting of the Canadian oil sands, as the  
4722 environmentalists thought. The 830,000 barrels per day of  
4723 crude oil from Alberta, Canada set a record for exports in  
4724 2022. The cancellation of the pipeline also did little to  
4725 stop emissions. In fact, oil is now transported by rail and  
4726 trucks, which have higher emissions than a pipeline.

4727 Number two, President Biden insulted our best ally,  
4728 Canada.

4729 Number three, the developer, TransCanada Energy, a  
4730 Canadian company, is suing the United States under provisions  
4731 of the free trade agreement, and they will likely recover  
4732 over \$8 billion in damages.

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4733           Number four, the local communities where the pipeline  
4734 was to be located will continue to lose millions in lost tax  
4735 revenues.

4736           And finally, number five, the ultimate cost of this  
4737 reckless executive order is now reported to be as much as  
4738 59,000 jobs, and up to \$9.6 billion that would have helped  
4739 our economy thrive.

4740           During our subcommittee markup I heard from some of my  
4741 Democratic colleagues that this resolution isn't needed  
4742 because the pipeline developer has withdrawn their request.  
4743 However, President Biden continues to make unilateral  
4744 decisions that will increase the cost of energy in this  
4745 country for decades into the future. And now it is deja vu.

4746           Not only can you voice your disapproval for the Keystone  
4747 decision, but now you can send a message to President Biden  
4748 about the Willow Project in Alaska. The Willow Project is  
4749 the Keystone Project on steroids. It provides tremendous  
4750 financial and national energy security benefits. Once again,  
4751 however, President Biden is listening to the  
4752 environmentalists who want to destroy American energy  
4753 independence by canceling that project.

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4754           The Willow Project enjoys bipartisan, bicameral support,  
4755 and near unanimous support from the Alaska Federation of  
4756 Natives, the North Slope Borough, the Inupiat community of  
4757 the Arctic Slope, and numerous labor unions. The lease was  
4758 acquired in 1999, and Willow has passed all Federal, state,  
4759 and local permitting requirements, and all environmental  
4760 approvals.

4761           If we don't express our disapproval of Biden's Keystone  
4762 decision, we may be greenlighting the horrific upcoming  
4763 decision on Willow. Now is the time to show whose side we  
4764 stand on. I hope all of you will vote for this resolution.

4765           And I yield back.

4766           \*The Chair. Is there further discussion?

4767           For what purpose does the lady from Colorado seek  
4768 recognition?

4769           \*Ms. DeGette. I move to strike the last word.

4770           \*The Chair. Ms. DeGette is recognized for five minutes  
4771 to strike the last word.

4772           \*Ms. DeGette. Thank you, Madam Chair.

4773           I talked about this resolution at the Energy  
4774 Subcommittee markup, so I will be brief today. But this

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4775 resolution, as the sponsor even acknowledges, is looking  
4776 backward, not forward, because the Keystone XL pipeline  
4777 project has been dead for two years now. Originally, it was  
4778 commissioned in 2010, which was 13 years ago.

4779         The debates around Keystone XL are just as tired as the  
4780 pipeline itself. We spent weeks and weeks of floor time  
4781 during the Obama presidency attempting to override the  
4782 President's decision on Keystone XL. This all came to  
4783 naught. I don't really know why we are talking about this  
4784 now. It is not -- there is no indication that Keystone is  
4785 going to be revived. And even though this resolution is sort  
4786 of styled as a disapproval resolution, in fact it is not a  
4787 joint resolution of congressional disapproval. It would have  
4788 no force of law, even if it were passed by the House and  
4789 Senate.

4790         And so, irrespective of what you think about the merits  
4791 -- I could have a long debate about the merits of this  
4792 pipeline, but I am not going to do it, because the fact is it  
4793 is not coming back.

4794         And so what I think we should do -- sounding like a  
4795 broken record again -- is, instead of revisiting past issues

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4796 and past irritations, we should be working together in a  
4797 bipartisan way to find an energy blueprint that works in the  
4798 future, and that gets us to the climate goals that we need,  
4799 that gets us to the energy independence that we need, instead  
4800 of fighting about something that is just not coming back, no  
4801 matter what resolutions or bills we pass.

4802 And so I really stand ready to work with my colleagues  
4803 on meaningful energy policy. This resolution is not that  
4804 policy.

4805 And I yield back.

4806 \*The Chair. For what purpose does the gentleman from  
4807 Florida seek recognition?

4808 \*Mr. Dunn. I move to strike the last word.

4809 \*The Chair. Dr. Dunn is recognized for five minutes to  
4810 strike --

4811 \*Mr. Dunn. Thank you, Madam Chair.

4812 On President Biden's first day in office, he shut down  
4813 the Keystone pipeline. With one stroke of the pen, the  
4814 President single-handedly eliminated 11,000 jobs of Americans  
4815 immediately and, ultimately, over 50,000 jobs were lost.  
4816 That is why we must support H.Con.Res. 14, which expresses

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4817 disapproval of the revocation by President Biden of the  
4818 presidential permit for the Keystone XL pipeline.

4819         While many people naively thought that the cancellation  
4820 would only affect the companies building the project, the  
4821 impact of this irresponsible decision was felt nationwide,  
4822 including in my own district. This action by the  
4823 Administration has had a chilling effect on investment in the  
4824 most reliable, efficient, and inexpensive forms of energy we  
4825 have. Countless jobs have been lost due to the Biden  
4826 Administration mistake, and the damage continues to grow.

4827         Keystone would have guaranteed a safe transportation of  
4828 a great deal of energy, thus overall improving our  
4829 environment and safety. It would have also been a boon to  
4830 trade with one of our very best allies, Canada. Every  
4831 country seeks to provide its people with the energy they need  
4832 and demand to survive and prosper. The security of American  
4833 energy and that of our allies is of paramount national  
4834 security interest. We cannot take that for granted. Our  
4835 openly hostile adversaries, China, Russia, Iran, jealously  
4836 guard their energy security. As a matter of critical  
4837 national security interest, we should do the same. This war

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4838 on domestic energy must end.

4839 Madam Chair, I yield back.

4840 \*The Chair. The gentleman yields back. Is there  
4841 further discussion on the resolution?

4842 Seeing none, the vote will be called. The clerk will  
4843 call the vote.

4844 \*The Clerk. Rodgers?

4845 \*The Chair. Aye.

4846 \*The Clerk. Rodgers votes aye.

4847 Burgess?

4848 [No response.]

4849 \*The Clerk. Latta?

4850 \*Mr. Latta. Aye.

4851 \*The Clerk. Latta votes aye.

4852 Guthrie?

4853 \*Mr. Guthrie. Aye.

4854 \*The Clerk. Guthrie votes aye.

4855 Griffith?

4856 \*Mr. Griffith. Aye.

4857 \*The Clerk. Griffith votes aye.

4858 Bilirakis?

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4859 \*Mr. Bilirakis. [Inaudible.]  
4860 \*The Clerk. Bilirakis votes aye.  
4861 Johnson?  
4862 [No response.]  
4863 \*The Clerk. Bucshon?  
4864 \*Mr. Bucshon. Aye.  
4865 \*The Clerk. Bucshon votes aye.  
4866 Hudson?  
4867 \*Mr. Hudson. Aye.  
4868 \*The Clerk. Hudson votes aye.  
4869 Walberg?  
4870 \*Mr. Walberg. Aye.  
4871 \*The Clerk. Walberg votes aye.  
4872 Carter?  
4873 [No response.]  
4874 \*The Clerk. Duncan?  
4875 \*Mr. Duncan. Aye.  
4876 \*The Clerk. Duncan votes aye.  
4877 Palmer?  
4878 \*Mr. Palmer. Aye.  
4879 \*The Clerk. Palmer votes aye.

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4880 Dunn?

4881 \*Mr. Dunn. Aye.

4882 \*The Clerk. Dunn votes aye.

4883 Curtis?

4884 \*Mr. Curtis. [Inaudible.]

4885 \*The Clerk. Curtis votes aye.

4886 Lesko?

4887 \*Mrs. Lesko. Aye.

4888 \*The Clerk. Lesko votes aye.

4889 Pence?

4890 \*Mr. Pence. Aye.

4891 \*The Clerk. Pence votes aye.

4892 Crenshaw?

4893 [No response.]

4894 \*The Clerk. Joyce?

4895 \*Mr. Joyce. Votes aye.

4896 \*The Clerk. Joyce votes aye.

4897 Armstrong?

4898 \*Mr. Armstrong. Yes.

4899 \*The Clerk. Armstrong votes aye.

4900 Weber?

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4901           \*Mr. Weber.   Aye.  
4902           \*The Clerk.   Weber votes aye.  
4903           Allen?  
4904           \*Mr. Allen.   Aye.  
4905           \*The Clerk.   Allen votes aye.  
4906           Balderson?  
4907           \*Mr. Balderson. [Inaudible.]  
4908           \*The Clerk.   Balderson votes aye.  
4909           Fulcher?  
4910           \*Mr. Fulcher.  Fulcher, aye.  
4911           \*The Clerk.   Fulcher votes aye.  
4912           Pfluger?  
4913           \*Mr. Pfluger.  Aye.  
4914           \*The Clerk.   Pfluger votes aye.  
4915           Harshbarger?  
4916           \*Mrs. Harshbarger. [Inaudible.]  
4917           \*The Clerk.   Harshbarger votes aye.  
4918           Miller-Meeks?  
4919           \*Mrs. Miller-Meeks. [Inaudible.]  
4920           \*The Clerk.   Miller-Meeks votes aye.  
4921           Cammack?

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4922 [No response.]  
4923 \*The Clerk. Cammack?  
4924 \*Mrs. Cammack. Aye.  
4925 \*The Clerk. Cammack votes aye.  
4926 Obernolte?  
4927 \*Mr. Obernolte. Aye.  
4928 \*The Clerk. Obernolte votes aye.  
4929 Pallone?  
4930 \*Mr. Pallone. No.  
4931 \*The Clerk. Pallone votes no.  
4932 Eshoo?  
4933 \*Ms. Eshoo. No.  
4934 \*The Clerk. Eshoo votes no.  
4935 DeGette?  
4936 \*Ms. DeGette. No.  
4937 \*The Clerk. DeGette votes no.  
4938 Schakowsky?  
4939 \*Ms. Schakowsky. No.  
4940 \*The Clerk. Schakowsky votes no.  
4941 Matsui?  
4942 \*Ms. Matsui. [Inaudible.]

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4943           \*The Clerk. Matsui votes no.  
4944           Castor?  
4945           \*Ms. Castor. [Inaudible.]  
4946           \*The Clerk. Castor votes no.  
4947           Sarbanes?  
4948           \*Mr. Sarbanes. No.  
4949           \*The Clerk. Sarbanes votes no.  
4950           Tonko?  
4951           \*Mr. Tonko. No.  
4952           \*The Clerk. Tonko votes no.  
4953           Clarke?  
4954           \*Ms. Clarke. No.  
4955           \*The Clerk. Clarke votes no.  
4956           Cardenas?  
4957           \*Mr. Cardenas. No.  
4958           \*The Clerk. Cardenas votes no.  
4959           Ruiz?  
4960           \*Mr. Ruiz. No.  
4961           \*The Clerk. Ruiz votes no.  
4962           Peters?  
4963           \*Mr. Peters. [Inaudible.]

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4964           \*The Clerk. Peters votes no.  
4965           Dingell?  
4966           \*Mrs. Dingell. No.  
4967           \*The Clerk. Dingell votes no.  
4968           Veasey?  
4969           \*Mr. Veasey. No.  
4970           \*The Clerk. Veasey votes no.  
4971           Kuster?  
4972           \*Ms. Kuster. [Inaudible.]  
4973           \*The Clerk. Kuster votes no.  
4974           Kelly?  
4975           \*Ms. Kelly. [Inaudible.]  
4976           \*The Clerk. Kelly votes no.  
4977           Barragan?  
4978           \*Ms. Barragan. No.  
4979           \*The Clerk. Barragan votes no.  
4980           Blunt Rochester?  
4981           \*Ms. Blunt Rochester. [Inaudible.]  
4982           \*The Clerk. Blunt Rochester votes no.  
4983           Soto?  
4984           \*Mr. Soto. No.

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4985           \*The Clerk. Soto votes no.  
4986           Craig?  
4987           \*Ms. Craig. [Inaudible.]  
4988           \*The Clerk. Craig votes no.  
4989           Schrier?  
4990           [No response.]  
4991           \*The Clerk. Trahan?  
4992           [No response.]  
4993           \*The Clerk. Fletcher?  
4994           \*Mrs. Fletcher. No.  
4995           \*The Clerk. Fletcher votes no.  
4996           \*The Chair. How is Mr. Johnson recorded?  
4997           \*The Clerk. Mr. Johnson is not recorded.  
4998           \*Mr. Johnson. Johnson votes aye.  
4999           \*The Clerk. Johnson votes aye.  
5000           \*The Chair. How is Mr. Burgess recorded?  
5001           \*The Clerk. Mr. Burgess is not recorded.  
5002           \*Mr. Burgess. Burgess votes aye.  
5003           \*The Clerk. Burgess votes aye.  
5004           \*The Chair. How is Mr. Carter recorded?  
5005           \*The Clerk. Mr. Carter is not recorded.

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5006 \*Mr. Carter. Aye.

5007 \*The Clerk. Carter votes aye.

5008 \*The Chair. Any other members who seek to be recorded?

5009 [Pause.]

5010 \*The Chair. The clerk will report the vote.

5011 \*The Clerk. Chair Rodgers, on that vote we have 28 ayes  
5012 and 21 noes.

5013 \*The Chair. The ayes have it, H.Con.Res 14 is adopted.

5014 The chair calls up H.Con.Res. 17, and asks the clerk to  
5015 report.

5016 \*The Clerk. H.Con.Res. 17, a concurrent resolution  
5017 expressing the sense of Congress that the Federal Government  
5018 should not impose any restrictions on the export of crude oil  
5019 or other petroleum products.

5020 \*The Chair. Without objection, the first reading of the  
5021 resolution is dispensed with. The resolution will be open  
5022 for amendment at any point.

5023 So ordered.

5024 [The bill follows:]

5025

5026 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5027

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5028 \*The Chair. Does anyone seek to be recognized --

5029 \*Mr. Guthrie. Madam Chair?

5030 \*The Chair. -- on the resolution?

5031 For what purpose does the gentleman from Kentucky seek  
5032 recognition?

5033 \*Mr. Guthrie. I move to strike the last word.

5034 \*The Chair. The gentleman, Mr. Guthrie, is recognized  
5035 for five minutes to strike the last word.

5036 \*Mr. Guthrie. Thank you, Chair Rodgers. I want to  
5037 thank the committee for including this bill today, this  
5038 resolution today.

5039 As I said during the subcommittee markup, this  
5040 resolution affirms Congress's bipartisan vote signed by  
5041 President Obama in 2015 to repeal the decades-long export ban  
5042 on crude oil and petroleum products. When Congress lifted  
5043 the ban, investments in the American oil and gas industry  
5044 increased, creating new American jobs, unleashing economic  
5045 development, and, more importantly, lowering the price of  
5046 energy that Americans paid. The United States emerged as a  
5047 leading oil producer in the world, and in 2019 became a net  
5048 exporter of petroleum products for the first time since 1952.

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5049 Reinstating the export ban is wrong policy. It would  
5050 shrink the market available to American crude oil and other  
5051 petroleum products, and this will lead thereby to deter  
5052 domestic investment by oil and gas companies. This would  
5053 ultimately risk higher prices at the pump and higher home  
5054 energy bills for hardworking Americans.

5055 And it also -- reinstating the export ban jeopardizes  
5056 our national security. American oil and gas exports help  
5057 make us and our allies less dependent on OPEC, plus countries  
5058 -- and Venezuela, Russia. If you make yourself dependent on  
5059 dictators, you make yourself vulnerable to dictators. We  
5060 have seen this play out in Europe, in its rush to go green,  
5061 ban domestic fracking, and cut off other fossil fuels before  
5062 reliable alternatives were available, and resulted in  
5063 European countries becoming more dependent on Vladimir Putin  
5064 and Russian energy.

5065 Russia has leveraged its energy sector over NATO allies  
5066 and other European partners. Russia's oil and gas sector has  
5067 also, in large part, funded Russia's illegal and unprovoked  
5068 invasion of Ukraine. However, since the invasion, U.S. LNG  
5069 exports have helped our European allies replace Russian

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5070 energy imports, helping keep homes heated across Europe  
5071 during the winter, while also cutting off resources to  
5072 Putin's war machine in Ukraine.

5073         If we reverse course and reinstate the export ban  
5074 without our own reliable energy alternatives, our European  
5075 partners will once again be at the mercy of foreign dictators  
5076 like Putin, undermining their national security and ours.  
5077 And without American exports on the global market, Americans  
5078 will suffer and pay higher prices.

5079         I have seen some documentation where people say, well,  
5080 we need to reinstate the ban, but not if it -- not the ban  
5081 that directly helps Ukraine or our allies in Europe. And I  
5082 can tell you, meeting with high-elected officials, some of  
5083 our European allies, they say that we need to export LNG.

5084         And someone made the comment that their ports were so  
5085 full they couldn't receive more American LNG. And these  
5086 high-level government officials who are left of center said  
5087 put it on the world market. If we lower the price, it will  
5088 help us. Even though we can't import more, what we import  
5089 will be lower, if we lower the price.

5090         It also lowers the price that Putin will receive for his

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5091 import -- his gas, oil and gas, and therefore make it less  
5092 able for him to fund the crushing war that he is putting on  
5093 our Ukrainian friends.

5094         So it was brought up during the markup, I think, that --  
5095 about exports to China, and how does this deal with exports  
5096 if we have issues. And so, with -- just open exports. So  
5097 there is going to be an amendment that I will offer at the  
5098 appropriate time that will ensure that -- and I will kind of  
5099 say what the amendment will be at the appropriate time. It  
5100 assures that not banning exports, except with respect to the  
5101 export of crude oil or other petroleum products to a foreign  
5102 person or foreign government subject to sanctions under any  
5103 provision of the United States laws, this would be subject to  
5104 sanctions and restrictions like any other in the United  
5105 States law.

5106         With that, I will --

5107         \*Mr. Pfluger. Will the gentleman yield?

5108         \*Mr. Guthrie. I will yield.

5109         \*Mr. Pfluger. I would like to speak in support of my  
5110 colleague from Kentucky on this issue.

5111         And I think that there is a practical side to this that

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5112 needs to be considered, and that practical side is that the  
5113 refineries that were built, mostly in the 1970s, are tooled  
5114 and the inner workings of them modified, if you will, to deal  
5115 with a different type of crude oil product than what we  
5116 produce here in the United States. And a lot of that is a  
5117 different gravity weight -- some will call it heavier crude  
5118 -- and different from what we produce.

5119           So the practical side is that we can't afford to not  
5120 continue to export because we have some competitive  
5121 advantages here that people want the light, sweet crude that  
5122 we produce, the clean-burning crude that they can get from  
5123 the United States. And so there is a practical side, but it  
5124 is also on the importance of continuing the investment in the  
5125 United States, because we do it cleaner, more efficiently,  
5126 and better. It is absolutely a national security issue.

5127           With that, I yield back.

5128           \*Mr. Guthrie. I yield back.

5129           \*The Chair. Is there further discussion on the  
5130 resolution?

5131           \*Mr. Pallone. Is there an amendment to it?

5132           \*The Chair. There is an amendment. Do you want to go

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5133 there first?

5134 \*Mr. Pallone. It is up to you.

5135 \*The Chair. Are there bipartisan amendments on the  
5136 resolution?

5137 Are there other amendments on the resolution?

5138 \*Mr. Guthrie. I have an amendment at the --

5139 \*The Chair. The gentleman is recognized.

5140 \*Mr. Guthrie. Madam Chair, I have an amendment at the  
5141 desk.

5142 \*The Chair. The clerk will report the amendment.

5143 \*The Chair. Amendment to H.Con.Res. 17, offered by Mr.  
5144 Guthrie. After the second clause of the preamble --

5145 \*The Chair. Without objection, the reading of the  
5146 amendment is dispensed with.

5147 [The amendment of Mr. Guthrie follows:]

5148

5149 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5150

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5151           \*The Chair. The gentleman is recognized for five  
5152 minutes in support of his amendment.

5153           \*Mr. Guthrie. Thank you, Madam Chair. I just said  
5154 this, but I will just say it for about 30 seconds. It is --  
5155 we do not want the lifting of the -- keeping in place the  
5156 lifting of the export ban -- I guess I have to speak in the  
5157 negative -- from ensuring that products go to people that  
5158 have wrong -- have sanctions against -- that we have  
5159 sanctions against in our country, or wronged our country.

5160           So this amendment is simple. It says that we lift the  
5161 ban, or -- for the lift of the ban, except with respect to  
5162 export of crude oil or other petroleum products to a foreign  
5163 person or government subject to sanctions on any provision of  
5164 U.S. law. So this ensures that the sanctions are not  
5165 overridden by a resolution.

5166           And if there isn't any further discussion, I will yield  
5167 back.

5168           \*The Chair. The gentleman yields back. Is there  
5169 further discussion on the amendment?

5170           If no further discussion, the vote occurs on the  
5171 amendment to the resolution.

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5172 All those in favor, signify by saying aye.

5173 Those opposed, nay.

5174 The ayes have it. The amendment to the resolution is  
5175 agreed to.

5176 Is there further discussion on the resolution?

5177 The ranking member is recognized for five minutes to  
5178 speak on the resolution.

5179 \*Mr. Pallone. I have an amendment at the desk.

5180 \*The Chair. Oh, you have an amendment?

5181 \*Mr. Pallone. Yes.

5182 \*The Chair. Okay, the gentleman has an amendment -- or  
5183 the ranking member has an amendment. Would the clerk report  
5184 the amendment?

5185 \*The Clerk. Can Mr. Pallone please specify the  
5186 amendment?

5187 \*Mr. Pallone. It is labeled H.Con.Res. 17\_01.

5188 \*The Clerk. Amendment to H.Con.Res. 17, offered by Mr.  
5189 Pallone. Strike "Whereas, the United States,'" and all that  
5190 follows through "superpower,'" and insert the following.

5191 "Whereas, before the crude oil export ban'" --

5192 \*The Chair. Without objection, the reading of the

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5193 amendment is dispensed with.

5194 [The amendment of Mr. Pallone follows:]

5195

5196 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5197

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5198           \*The Chair. And the ranking member, Mr. Pallone, is  
5199 recognized for five minutes in support of his amendment.

5200           \*Mr. Pallone. Thank you, Madam Chair. I just -- I  
5201 strongly believe that this -- that the underlying resolution  
5202 is meaningless.

5203           The Administration, the Biden Administration, has made  
5204 no formal proposal to restrict the export of crude oil or  
5205 petroleum products, and currently there are no restrictions  
5206 on the export of crude oil.

5207           Furthermore, when the Republican Congress in 2015 lifted  
5208 the crude oil export ban, they wrote in an exception allowing  
5209 the president to place restrictions on the export of crude  
5210 oil in the case of a national emergency for reasons of  
5211 national security, or if the export of crude oil has caused  
5212 material supply shortages and adverse effects on employment.

5213           Now, if the Republicans really believed in the message  
5214 of this resolution, they would have introduced a bill  
5215 repealing those exceptions -- not that I am advocating that,  
5216 but that would have had some impact. This resolution has no  
5217 impact.

5218           But I also think the resolution is misguided. It

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5219 celebrates the 2015 lifting of the export ban, but does  
5220 nothing to talk about the impacts that it created in  
5221 communities like mine in New Jersey.

5222 My amendment corrects the record. It notes that the  
5223 U.S. has lost 10 refineries since we lifted the crude oil  
5224 export ban, including a third of the refining capacity on the  
5225 East Coast, a direct result of the lifting of the export ban.

5226 It also notes that, since we lifted the export ban, the  
5227 amount of oil and petroleum products being sent to China has  
5228 surged. By 2020 we tripled the amount we sent to China, and  
5229 2 months ago Republicans were on the floor, aghast at the  
5230 prospect of sending our strategic oil reserves to China, but  
5231 apparently they only care about that 2 percent of our oil  
5232 exports to China and not the other 98 percent, which  
5233 continues to surge.

5234 And finally, my amendment restores common sense to this  
5235 resolution, expressing support for restrictions under the  
5236 Energy Policy and Conservation Act if exporting oil is not in  
5237 the public interest.

5238 So for all these reasons, I would urge adoption of my  
5239 amendment, Madam Chair, and I yield back.

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5240           \*The Chair. Is there further discussion on the  
5241 amendment?

5242           The gentleman from Kentucky, for what purpose do you  
5243 seek recognition?

5244           \*Mr. Guthrie. To discuss the amendment.

5245           \*The Chair. The gentleman is recognized for five  
5246 minutes.

5247           \*Mr. Guthrie. Thank you, Madam Chair.

5248           The Biden Administration hasn't moved to lift, but there  
5249 is a letter we have sent to the Biden Administration from the  
5250 ranking member, a specific ask to restore in whole or in part  
5251 a ban on the export of crude oil. So there is some movement  
5252 to lift -- to restore the ban, and we need to move forward on  
5253 that.

5254           It is fair -- and that is why it was pointed out by --  
5255 in the subcommittee about exports to China, and so that is  
5256 why I filed the amendment to -- except with respect to export  
5257 of crude oil or other petroleum products to a foreign person  
5258 or a foreign government subject to sanctions or any  
5259 imposition of United States law. So there would be  
5260 opportunity to do that if sanctions were brought forward in

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5261 that respect.

5262 And then, on the refinery capacity, I think I speak  
5263 without fear of contradiction that everybody on this side of  
5264 the aisle would love to work with anyone on the other side of  
5265 the aisle for permitting for refineries, for rebuilding  
5266 refineries, and then for supporting my colleague from  
5267 Kentucky Andy Barr's position on ESG financing to make sure  
5268 that the capital is available for people to build more  
5269 refineries. So we share the concern of refinery capacity,  
5270 and we would like to work together to move that forward.

5271 \*Mr. Pallone. Mr. --

5272 \*Mr. Guthrie. And I --

5273 \*Mr. Pallone. Would the gentleman yield?

5274 \*Mr. Guthrie. I will yield.

5275 \*Mr. Pallone. I mean, again, China is not under  
5276 sanctions, right?

5277 \*Mr. Guthrie. Right.

5278 \*Mr. Pallone. So this doesn't do anything to prevent  
5279 continued surge in exports to China. All I am trying to say  
5280 is I don't want to keep reiterating the same thing. We did  
5281 this on the floor, but you were so worried about it coming

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5282 from the Strategic Petroleum Reserve, but nothing in the  
5283 resolution or the amendment that we adopted prevents exports  
5284 to China. That is my point.

5285 \*Mr. Guthrie. Well, it doesn't -- it allows, if the  
5286 Administration wanted to put sanctions on China to prevent  
5287 the crude oil from going to China.

5288 I can tell you that our European allies said if we will  
5289 put oil and gas -- gas, particularly, is what they said -- on  
5290 the international market, it will lower the price, it will  
5291 take away their struggle and suffering of their economies  
5292 under the war in Ukraine, and also not fund Putin's army.

5293 So it is important that we have an international market.  
5294 And if there is -- if it is seen that it is -- that need be,  
5295 that -- this allows the Administration to put the sanctions  
5296 on China, and prevent them from moving forward.

5297 So I will yield back.

5298 \*The Chair. The gentleman yields back. Is there  
5299 further discussion on the amendment?

5300 Seeing none, the vote is on Mr. Pallone's amendment.

5301 All those in favor, say aye?

5302 Those opposed, nay.

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5303           The noes have it, the amendment is not agreed to.  
5304           Are there further amendments on the resolution?  
5305           \*Mr. Pallone. I would like to have a roll call.  
5306           \*The Chair. You would like to have a recorded -- a roll  
5307 call has been requested. The clerk will call the roll.  
5308           \*The Clerk. Rodgers?  
5309           \*The Chair. No.  
5310           \*The Clerk. Rodgers votes no.  
5311           Burgess?  
5312           \*Mr. Burgess. Votes no.  
5313           \*The Clerk. Burgess votes no..  
5314           Latta?  
5315           \*Mr. Latta. No.  
5316           \*The Clerk. Latta votes no.  
5317           Guthrie?  
5318           \*Mr. Guthrie. [Inaudible.]  
5319           \*The Clerk. Guthrie votes no.  
5320           Griffith?  
5321           [No response.]  
5322           \*The Clerk. Bilirakis?  
5323           \*Mr. Bilirakis. [Inaudible.]

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5324 \*The Clerk. Bilirakis votes no.  
5325 Johnson?  
5326 \*Mr. Johnson. No.  
5327 \*The Clerk. Johnson votes no.  
5328 Bucshon?  
5329 \*Mr. Bucshon. No.  
5330 \*The Clerk. Bucshon votes no.  
5331 Hudson?  
5332 \*Mr. Hudson. No.  
5333 \*The Clerk. Hudson votes no.  
5334 Walberg?  
5335 \*Mr. Walberg. No.  
5336 \*The Clerk. Walberg votes no.  
5337 Carter?  
5338 [No response.]  
5339 \*The Clerk. Duncan?  
5340 \*Mr. Duncan. No.  
5341 \*The Clerk. Duncan votes no.  
5342 Palmer?  
5343 \*Mr. Palmer. No.  
5344 \*The Clerk. Palmer votes no.

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5345           Dunn?  
5346           \*Mr. Dunn.   Dunn, no.  
5347           \*The Clerk.   Dunn votes no.  
5348           Curtis?  
5349           \*Mr. Curtis.  No.  
5350           \*The Clerk.   Curtis votes no.  
5351           Lesko?  
5352           \*Mrs. Lesko.  No.  
5353           \*The Clerk.   Lesko votes no.  
5354           Pence?  
5355           \*Mr. Pence.   No.  
5356           \*The Clerk.   Pence votes no.  
5357           Crenshaw?  
5358           [No response.]  
5359           \*The Clerk.   Joyce?  
5360           \*Mr. Joyce.   No.  
5361           \*The Clerk.   Joyce votes no.  
5362           Armstrong?  
5363           \*Mr. Armstrong. No.  
5364           \*The Clerk.   Armstrong votes no.  
5365           Weber?

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5366 \*Mr. Weber. No.  
5367 \*The Clerk. Weber votes no.  
5368 Allen?  
5369 \*Mr. Allen. [Inaudible.]  
5370 \*The Clerk. Allen votes no.  
5371 Balderson?  
5372 \*Mr. Balderson. [Inaudible.]  
5373 \*The Clerk. Balderson votes no.  
5374 Fulcher?  
5375 \*Mr. Fulcher. Fulcher, no.  
5376 \*The Clerk. Fulcher votes no.  
5377 Pfluger?  
5378 \*Mr. Pfluger. [Inaudible.]  
5379 \*The Clerk. Pfluger votes no.  
5380 Harshbarger?  
5381 \*Mrs. Harshbarger. [Inaudible.]  
5382 \*The Clerk. Harshbarger votes no.  
5383 Miller-Meeks?  
5384 \*Mrs. Miller-Meeks. [Inaudible.]  
5385 \*The Clerk. Miller-Meeks votes no.  
5386 Cammack?

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5387 \*Mrs. Cammack. [Inaudible.]  
5388 \*The Clerk. Cammack votes no.  
5389 Obernolte?  
5390 \*Mr. Obernolte. No.  
5391 \*The Clerk. Obernolte votes no.  
5392 Pallone?  
5393 \*Mr. Pallone. Aye.  
5394 \*The Clerk. Pallone votes aye.  
5395 Eshoo?  
5396 \*Ms. Eshoo. Aye.  
5397 \*The Clerk. Eshoo votes aye.  
5398 DeGette?  
5399 \*Ms. DeGette. DeGette votes aye.  
5400 \*The Clerk. DeGette votes aye.  
5401 Schakowsky?  
5402 [No response.]  
5403 \*The Clerk. Matsui?  
5404 \*Ms. Matsui. Aye.  
5405 \*The Clerk. Matsui votes aye.  
5406 Castor?  
5407 \*Ms. Castor. [Inaudible.]

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5408           \*The Clerk. Castor votes aye.  
5409           Sarbanes?  
5410           \*Mr. Sarbanes. Aye.  
5411           \*The Clerk. Sarbanes votes aye.  
5412           Tonko?  
5413           \*Mr. Tonko. Aye.  
5414           \*The Clerk. Tonko votes aye.  
5415           Clarke?  
5416           \*Ms. Clarke. Aye.  
5417           \*The Clerk. Clarke votes aye.  
5418           Cardenas?  
5419           [No response.]  
5420           \*The Clerk. Ruiz?  
5421           \*Mr. Ruiz. Aye.  
5422           \*The Clerk. Ruiz votes aye.  
5423           Peters?  
5424           \*Mr. Peters. [Inaudible.]  
5425           \*The Clerk. Peters votes aye.  
5426           Dingell?  
5427           \*Mrs. Dingell. Aye.  
5428           \*The Clerk. Dingell votes aye.

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5429 Veasey?  
5430 \*Mr. Veasey. Aye.  
5431 \*The Clerk. Veasey votes aye.  
5432 Kuster?  
5433 \*Ms. Kuster. Aye.  
5434 \*The Clerk. Kuster votes aye.  
5435 Kelly?  
5436 \*Ms. Kelly. Aye.  
5437 \*The Clerk. Kelly votes aye.  
5438 Barragan?  
5439 \*Ms. Barragan. Aye.  
5440 \*The Clerk. Barragan votes aye.  
5441 Blunt Rochester?  
5442 \*Ms. Blunt Rochester. Aye.  
5443 \*The Clerk. Blunt Rochester votes aye.  
5444 Soto?  
5445 \*Mr. Soto. Aye.  
5446 \*The Clerk. Soto votes aye.  
5447 Craig?  
5448 \*Ms. Craig. Aye.  
5449 \*The Clerk. Craig votes aye.

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5450 Schrier?

5451 [No response.]

5452 \*The Clerk. Trahan?

5453 [No response.]

5454 \*The Clerk. Fletcher?

5455 \*Mrs. Fletcher. Aye.

5456 \*The Clerk. Fletcher votes aye.

5457 \*Ms. Schakowsky. How is Schakowsky?

5458 \*The Clerk. Ms. Schakowsky is not recorded.

5459 \*Ms. Schakowsky. Aye.

5460 \*Mr. Cardenas. Cardenas?

5461 \*The Clerk. Ms. Schakowsky votes aye.

5462 Mr. Cardenas is not recorded.

5463 \*Mr. Cardenas. Aye.

5464 \*The Clerk. Mr. Cardenas votes aye.

5465 \*The Chair. [Inaudible.]

5466 \*The Clerk. Mr. Griffith is not recorded.

5467 \*Mr. Griffith. Votes no.

5468 \*The Clerk. Mr. Griffith votes no.

5469 \*The Chair. Any other members seeking to be recorded?

5470 Mr. Carter, how is Mr. Carter recorded?

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5471 \*The Clerk. Mr. Carter is not recorded.

5472 \*Mr. Carter. No.

5473 \*The Clerk. Mr. Carter votes no.

5474 [Pause.]

5475 \*The Chair. The clerk will report the vote.

5476 \*The Clerk. Chair Rodgers, on that vote we have 21 ayes  
5477 and 28 noes.

5478 \*The Chair. The noes have it. The amendment is not  
5479 adopted.

5480 Are there further amendments to the resolution?

5481 The question now occurs on adopting H.Con.Res 17, as  
5482 amended.

5483 All those in -- actually, we are going to have a  
5484 recorded vote. The clerk will call the roll.

5485 \*The Clerk. Rodgers?

5486 \*The Chair. Aye.

5487 \*The Clerk. Rodgers votes aye.

5488 Burgess?

5489 \*Mr. Burgess. Votes aye.

5490 \*The Clerk. Burgess votes aye.

5491 Latta?

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5492           \*Mr. Latta. Aye.  
5493           \*The Clerk. Latta votes aye.  
5494           Guthrie?  
5495           \*Mr. Guthrie. Aye.  
5496           \*The Clerk. Guthrie votes aye.  
5497           Griffith?  
5498           [No response.]  
5499           \*The Clerk. Bilirakis?  
5500           \*Mr. Bilirakis. Aye.  
5501           \*The Clerk. Bilirakis votes aye.  
5502           Johnson?  
5503           \*Mr. Johnson. Aye.  
5504           \*The Clerk. Johnson votes aye.  
5505           Bucshon?  
5506           \*Mr. Bucshon. Aye.  
5507           \*The Clerk. Bucshon votes aye.  
5508           Hudson?  
5509           \*Mr. Hudson. Aye.  
5510           \*The Clerk. Hudson votes aye.  
5511           Walberg?  
5512           \*Mr. Walberg. Aye.

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5513 \*The Clerk. Walberg votes aye.

5514 Carter?

5515 \*Mr. Carter. Aye.

5516 \*The Clerk. Carter votes aye.

5517 Duncan?

5518 \*Mr. Duncan. Aye.

5519 \*The Clerk. Duncan votes aye.

5520 Palmer?

5521 \*Mr. Palmer. Aye.

5522 \*The Clerk. Palmer votes aye.

5523 Dunn?

5524 \*Mr. Dunn. Aye.

5525 \*The Clerk. Dunn votes aye.

5526 Curtis?

5527 [No response.]

5528 \*The Clerk. Lesko?

5529 \*Mrs. Lesko. Aye.

5530 \*The Clerk. Lesko votes aye.

5531 Pence?

5532 \*Mr. Pence. Aye.

5533 \*The Clerk. Pence votes aye.

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5534 Crenshaw?  
5535 [No response.]  
5536 \*The Clerk. Joyce?  
5537 \*Mr. Joyce. Aye.  
5538 \*The Clerk. Joyce votes aye.  
5539 Armstrong?  
5540 \*Mr. Armstrong. Yes.  
5541 \*The Clerk. Armstrong votes aye.  
5542 Weber?  
5543 \*Mr. Weber. Aye.  
5544 \*The Clerk. Weber votes aye.  
5545 \*Mr. Allen. Aye.  
5546 \*The Clerk. Allen?  
5547 Allen votes aye.  
5548 Balderson?  
5549 \*Mr. Balderson. [Inaudible.]  
5550 \*The Clerk. Balderson votes aye.  
5551 Fulcher?  
5552 \*Mr. Fulcher. [Inaudible.]  
5553 \*The Clerk. Fulcher votes aye.  
5554 Pfluger?

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5555 \*Mr. Pfluger. Aye.  
5556 \*The Clerk. Pfluger votes aye.  
5557 Harshbarger?  
5558 \*Mrs. Harshbarger. [Inaudible.]  
5559 \*The Clerk. Harshbarger votes aye.  
5560 Miller-Meeks?  
5561 \*Mrs. Miller-Meeks. [Inaudible.]  
5562 \*The Clerk. Miller-Meeks votes aye.  
5563 Cammack?  
5564 \*Mrs. Cammack. Aye.  
5565 \*The Clerk. Cammack votes aye.  
5566 Obernolte?  
5567 \*Mr. Obernolte. Aye.  
5568 \*The Clerk. Obernolte votes aye.  
5569 Pallone?  
5570 \*Mr. Pallone. No.  
5571 \*The Clerk. Pallone votes no.  
5572 Eshoo?  
5573 \*Ms. Eshoo. [Inaudible.]  
5574 \*The Clerk. Eshoo votes no.  
5575 DeGette?

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5576 \*Ms. DeGette. No.  
5577 \*The Clerk. DeGette votes no.  
5578 Schakowsky?  
5579 \*Ms. Schakowsky. No.  
5580 \*The Clerk. Schakowsky votes no.  
5581 Matsui?  
5582 \*Ms. Matsui. No.  
5583 \*The Clerk. Matsui votes no.  
5584 Castor?  
5585 \*Ms. Castor. [Inaudible.]  
5586 \*The Clerk. Castor votes no.  
5587 Sarbanes?  
5588 \*Mr. Sarbanes. [Inaudible.]  
5589 \*The Clerk. Sarbanes votes no.  
5590 Tonko?  
5591 \*Mr. Tonko. No.  
5592 \*The Clerk. Tonko votes no.  
5593 Clarke?  
5594 \*Ms. Clarke. No.  
5595 \*The Clerk. Clarke votes no.  
5596 Cardenas?

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5597 \*Mr. Cardenas. No.  
5598 \*The Clerk. Cardenas votes no.  
5599 Ruiz?  
5600 \*Mr. Ruiz. No.  
5601 \*The Clerk. Ruiz votes no.  
5602 Peters?  
5603 \*Mr. Peters. No.  
5604 \*The Clerk. Peters votes no.  
5605 Dingell?  
5606 \*Mrs. Dingell. [Inaudible.]  
5607 \*The Clerk. Dingell votes no.  
5608 Veasey?  
5609 \*Mr. Veasey. No.  
5610 \*The Clerk. Veasey votes no.  
5611 Kuster?  
5612 \*Ms. Kuster. No.  
5613 \*The Clerk. Kuster votes no.  
5614 Kelly?  
5615 \*Ms. Kelly. [Inaudible.]  
5616 \*The Clerk. Kelly votes no.  
5617 Barragan?

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5618 \*Ms. Barragan. No.  
5619 \*The Clerk. Barragan votes no.  
5620 Blunt Rochester?  
5621 \*Ms. Blunt Rochester. [Inaudible.]  
5622 \*The Clerk. Blunt Rochester votes no.  
5623 Soto?  
5624 \*Mr. Soto. No.  
5625 \*The Clerk. Soto votes no.  
5626 Craig?  
5627 \*Ms. Craig. [Inaudible.]  
5628 \*The Clerk. Craig votes no.  
5629 Schrier?  
5630 [No response.]  
5631 \*The Clerk. Trahan?  
5632 [No response.]  
5633 \*The Clerk. Fletcher?  
5634 \*Mrs. Fletcher. Aye.  
5635 \*The Clerk. Fletcher votes aye.  
5636 \*The Chair. Members seeking to be recorded?  
5637 Mr. Curtis, how is Mr. --  
5638 \*The Clerk. Mr. Curtis is not recorded.

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5639           \*Mr. Curtis. [Inaudible.]

5640           \*The Clerk. Mr. Curtis votes aye.

5641           \*Mr. Griffith. [Inaudible.]

5642           \*The Clerk. Mr. Griffith is not recorded.

5643           \*Mr. Griffith. Aye.

5644           \*The Clerk. Mr. Griffith votes aye.

5645           [Pause.]

5646           \*The Chair. The clerk will report.

5647           \*The Clerk. Chair Rodgers, on that vote we have 29 ayes

5648 and 19 noes.

5649           \*The Chair. The ayes have it, the resolution is

5650 adopted.

5651           The chair calls up H.R. 1130, and asks the clerk to

5652 report.

5653           \*The Clerk. Committee print of H.R. 1130, as forwarded

5654 by the Subcommittee on Energy, Climate, and Grid Security.

5655 Section 1, short title.

5656           \*The Chair. Without objection, the first reading of the

5657 bill is dispensed with, and the bill is open for amendment at

5658 any point.

5659           So ordered.

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5660 [The bill follows:]

5661

5662 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5663

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5664           \*The Chair. Does anyone seek to be recognized on the  
5665 bill?

5666           For what purpose does the gentleman seek recognition  
5667 from Ohio?

5668           \*Mr. Johnson. Madam Chair, I ask to strike the last  
5669 word to speak on --

5670           \*The Chair. Mr. Johnson is recognized for five minutes  
5671 to strike the last word.

5672           \*Mr. Johnson. Thank you, Madam Chair.

5673           Now, last week I spent some time refuting the accusation  
5674 that my legislation would raise natural gas prices for the  
5675 American people. And the bottom line is that we have plenty  
5676 to go around, and there is more than enough for us to  
5677 significantly increase our exports. There is no evidence, in  
5678 fact, that LNG exports, which have risen exponentially in the  
5679 last decade, have caused skyrocketing domestic natural gas  
5680 prices. Prices haven't skyrocketed; it simply is not true.

5681           My legislation would simply bring natural gas exports in  
5682 line with other important American commodities that we sell  
5683 to the world, like oil. This is a good thing.

5684           I know this is a surprise to some of my colleagues on

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5685 the Democrat side, but selling American products overseas  
5686 creates jobs here at home, sends money from around the world  
5687 into our constituents' pockets, and increases American  
5688 influence across the globe.

5689 Now, recently, critics of this legislation have said, if  
5690 we sell LNG on the global market, China might buy some of it,  
5691 and that is bad for America. Well, you know what I say to  
5692 that? Let them buy it. After all, it is a lot cleaner and  
5693 better for the environment than the dirtier fuels the Chinese  
5694 are currently using to fuel their economy.

5695 But there seems to be a rare bipartisan agreement right  
5696 now on the global threat of the Chinese Communist Party.  
5697 With dangerously thin supply chains for things like critical  
5698 minerals and rare earths that are controlled by the Chinese  
5699 Communist Party, wouldn't it be nice to make them dependent  
5700 on us for a change?

5701 American energy dominance on the global stage will only  
5702 become more crucial from here, and LNG exports are a key part  
5703 of that, as the world becomes a more dangerous place.

5704 Now, I do want to follow up from something else I  
5705 mentioned last week about how the Department of Energy

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5706 responds when they get an LNG export application. They have  
5707 been known to sit on these for months and even years before  
5708 approving them, almost randomly. And when they do approve  
5709 them, they do so at highly convenient times, very suspect.

5710 For example, the night before the Energy Secretary was  
5711 about to come before our committee last year, they approved  
5712 an export permit. And now, as we are looking to send LNG  
5713 legislation to the floor, we just got word this week they  
5714 have approved another one. An LNG exporter who already has  
5715 an existing operation, asked the Department of Energy if they  
5716 could export a bit more LNG than they were previously  
5717 approved for. The Department of Energy said yes -- over 500  
5718 days later, after they asked.

5719 To my colleagues, we can do better than this. America  
5720 can do better. As I said last week, this is how -- this is  
5721 low-hanging fruit if anyone is serious about permitting  
5722 reform in this country.

5723 So, Madam Chair, I will conclude with this, which I call  
5724 the three pillars of American LNG.

5725 As I said, American energy exports project our  
5726 geopolitical power overseas, making the world rely less on

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5727 cruel, energy-rich dictators like Russia's Vladimir Putin or  
5728 the Chinese Communist Party's President Xi.

5729       Next is the carbon benefit. American natural gas is the  
5730 cleanest in the world. Our producers do it better than  
5731 anyone else. And the only question is, will the next billion  
5732 people be lifted out of poverty fueled by clean burning  
5733 American natural gas or much higher carbon-emitting fuels?

5734       And lastly, while unleashing LNG exports is beneficial  
5735 to the exporting companies and to the competition against  
5736 China and Russia, at the end of the day the reason I  
5737 championed this legislation isn't solely because of all of  
5738 that. The most important pillar of our LNG strategy, at the  
5739 end of the day, what this legislation is about, is what  
5740 American energy dominance is about, and what it means back  
5741 home. To the critics of this legislation I want to tell you  
5742 LNG exports and American energy production aren't a political  
5743 football.

5744       This is real life to the oil and gas workers, truck  
5745 drivers, pipeline builders, and small businesses in rural  
5746 Appalachia that sit atop the Marcellus and Utica Shale plays.  
5747 I have seen firsthand the benefits of the shale revolution in

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5748 forgotten parts of this country. We have an enormous  
5749 resource under our feet. This legislation would keep  
5750 drillers drilling and our wells producing here in Ohio,  
5751 Pennsylvania, West Virginia, Texas, and all of America's  
5752 energy-rich regions.

5753 I urge my colleagues to support this legislation.  
5754 Thanks, Madam Chair, and I yield back.

5755 \*The Chair. The gentleman yields back. Is there  
5756 further discussion on the legislation?

5757 Ms. DeGette, for what purpose do you seek recognition?

5758 \*Ms. DeGette. I have an amendment at the desk, Madam  
5759 Chair, D01.

5760 \*The Chair. The clerk will report the amendment.

5761 \*The Clerk. Amendment to the committee print for H.R.  
5762 1130, offered by Ms. DeGette. Page 1, strike --

5763 \*The Chair. Without objection, the reading of the  
5764 amendment is dispensed with.

5765 [The amendment of Ms. DeGette follows:]

5766

5767 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5768

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5769           \*The Chair. The lady from Colorado is recognized for  
5770 five minutes in support of her amendment.

5771           \*Ms. DeGette. I thank the chair.

5772           What this bill proposes to do is to remove the  
5773 requirement that natural gas exports to countries that the  
5774 United States lacks a free trade agreement with will be  
5775 examined by the Department of Energy to see if they are in  
5776 the public interest. I really disagree with that policy.  
5777 During our Joint Energy and Environment Subcommittee hearing  
5778 that increased LNG exports increases prices for home, we  
5779 heard testimony that that would happen. I mean, we did hear  
5780 that testimony.

5781           Now, I for one, do not think that we should stop  
5782 exporting natural gas. Let me say that again: I support  
5783 exporting natural gas. But I do think that, if we are going  
5784 to export natural gas, we should have -- we should make sure  
5785 that every facility that is doing it does it in consistent --  
5786 consistent with the public interest.

5787           So this bill removes common-sense barriers that prevent  
5788 U.S. LNG from going to foreign adversaries like China.

5789           I want to point out at this point, Madam Chair, that in

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5790 2021 we sent 453 billion cubic feet of natural gas to China,  
5791 which was 13 percent of all our production that year, and  
5792 that wasn't a fluke.

5793 Madam Chair, I would ask unanimous consent to insert a  
5794 Reuters article into the record entitled, "China Gas Holdings  
5795 Signs 220-Year LNG supply deals with Venture Global."'

5796 \*The Chair. Without objection, so ordered.

5797 [The information follows:]

5798

5799 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5800

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

5801           \*Ms. DeGette. What this article talks about is how  
5802 China is continuing to snap up American LNG, and it notes how  
5803 this deal would make it harder for our European allies to  
5804 secure LNG in the long term. So what it is about is us  
5805 sending China LNG instead of our European allies.

5806           So even if my colleagues don't think that many LNG  
5807 exports should be subject to public interest determinations,  
5808 surely I would say LNG exports to China that will make more -  
5809 - life more difficult for our European allies should go  
5810 through public interest review. The committee simply can't  
5811 just rubber-stamp efforts by China to snap up LNG before  
5812 Europe has a chance.

5813           And I, for one, find it a little ironic that on the  
5814 floor we are voting on legislation to prohibit exporting oil  
5815 and gas from the Strategic Petroleum Reserve to China, but it  
5816 is apparently okay if we export LNG without a public interest  
5817 determination whether this is going to harm the U.S. or our  
5818 allies. And so that is why I am proposing this common-sense  
5819 amendment. It restores public interest review for any LNG  
5820 exports to China, Russia, North Korea, Iran, and any other  
5821 country under U.S. sanctions.

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5822 I think it is common sense that exports to those  
5823 countries should go through scrutiny, and so let's find some  
5824 common ground here. Let's vote for this amendment.

5825 And I yield back.

5826 \*The Chair. The gentlelady yields back. Is there  
5827 further discussion on the amendment?

5828 The gentleman from Mr. Johnson -- or Mr. Johnson is  
5829 recognized for five minutes.

5830 \*Mr. Johnson. Madam Chair, I strike the last word in  
5831 opposition to the amendment.

5832 \*The Chair. The gentleman is recognized.

5833 \*Mr. Johnson. Madam Chair, the underlying bill is about  
5834 removing outdated restriction on exportation of LNG.  
5835 Increasing U.S. LNG will provide the productive capacity of  
5836 our nation's energy resources, increasing supplies that  
5837 benefit all Americans, and increases our ability to assist  
5838 our allies and compete in global markets.

5839 This amendment is a poison pill. It guts the core  
5840 policy of this bill, and seeks to add unnecessary  
5841 restrictions. Our bill already provides that nothing in this  
5842 change to the Natural -- National Gas Act limits the ability

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5843 of the President to impose sanctions on or to prohibit  
5844 imports or exports from foreign persons or governments,  
5845 including countries designated as state sponsors of  
5846 terrorism. This covers the concerns of the amendment, and  
5847 preserves the overriding policy goals of the legislation.

5848 This amendment is meant simply to kill these key  
5849 reforms, and I urge a no vote on the amendment.

5850 And I yield back.

5851 \*The Chair. The gentleman yields back. Is there  
5852 further discussion on the amendment?

5853 \*Mr. Pallone. I guess we want a recorded vote.

5854 \*The Chair. Seeing no further discussion, a recorded  
5855 vote has been requested. The clerk will call the roll.

5856 \*The Clerk. Rodgers?

5857 \*The Chair. No.

5858 \*The Clerk. Rodgers votes no.

5859 Burgess?

5860 \*Mr. Burgess. Votes no.

5861 \*The Clerk. Burgess votes no.

5862 Latta?

5863 \*Mr. Latta. No.

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5864 \*The Clerk. Latta votes no.  
5865 Guthrie?  
5866 \*Mr. Guthrie. No.  
5867 \*The Clerk. Guthrie votes no.  
5868 Griffith?  
5869 \*Mr. Griffith. No.  
5870 \*The Clerk. Griffith votes no.  
5871 Bilirakis?  
5872 \*Mr. Bilirakis. [Inaudible.]  
5873 \*The Clerk. Bilirakis votes no.  
5874 Johnson?  
5875 \*Mr. Johnson. No.  
5876 \*The Clerk. Johnson votes no.  
5877 Bucshon?  
5878 \*Mr. Bucshon. No.  
5879 \*The Clerk. Bucshon votes no.  
5880 Hudson?  
5881 \*Mr. Hudson. No.  
5882 \*The Clerk. Hudson votes no.  
5883 Walberg?  
5884 \*Mr. Walberg. No.

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5885           \*The Clerk. Walberg votes no.  
5886           Carter?  
5887           \*Mr. Carter. No.  
5888           \*The Clerk. Carter votes no.  
5889           Duncan?  
5890           \*Mr. Duncan. No.  
5891           \*The Clerk. Duncan votes no.  
5892           Palmer?  
5893           \*Mr. Palmer. [Inaudible.]  
5894           \*The Clerk. Palmer votes no.  
5895           Dunn?  
5896           \*Mr. Dunn. No.  
5897           \*The Clerk. Dunn votes no.  
5898           Curtis?  
5899           \*Mr. Curtis. [Inaudible.]  
5900           \*The Clerk. Curtis votes no.  
5901           Lesko?  
5902           \*Mrs. Lesko. No.  
5903           \*The Clerk. Lesko votes no.  
5904           Pence?  
5905           \*Mr. Pence. No.

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5906           \*The Clerk. Pence votes no.  
5907           Crenshaw?  
5908           [No response.]  
5909           \*The Clerk. Joyce?  
5910           \*Mr. Joyce. No.  
5911           \*The Clerk. Joyce votes no.  
5912           Armstrong?  
5913           \*Mr. Armstrong. No.  
5914           \*The Clerk. Armstrong votes no.  
5915           Weber?  
5916           \*Mr. Weber. No.  
5917           \*The Clerk. Weber votes no.  
5918           Allen?  
5919           \*Mr. Allen. No.  
5920           \*The Clerk. Allen votes no.  
5921           Balderson?  
5922           \*Mr. Balderson. [Inaudible.]  
5923           \*The Clerk. Balderson votes no.  
5924           Fulcher?  
5925           [No response.]  
5926

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5927 \*The Clerk. Pfluger?  
5928 \*Mr. Pfluger. No.  
5929 \*The Clerk. Pfluger votes no.  
5930 Harshbarger?  
5931 \*Mrs. Harshbarger. [Inaudible.]  
5932 \*The Clerk. Harshbarger votes no.  
5933 Miller-Meeks?  
5934 \*Mrs. Miller-Meeks. [Inaudible.]  
5935 \*The Clerk. Miller-Meeks votes no.  
5936 Cammack?  
5937 \*Mrs. Cammack. [Inaudible.]  
5938 \*The Clerk. Cammack votes no.  
5939 Obernolte?  
5940 \*Mr. Obernolte. No.  
5941 \*The Clerk. Obernolte votes no.  
5942 Pallone?  
5943 \*Mr. Pallone. Votes aye.  
5944 \*The Clerk. Pallone votes aye.  
5945 Eshoo?  
5946 \*Ms. Eshoo. [Inaudible.]  
5947 \*The Clerk. Eshoo votes aye.

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5948 DeGette?  
5949 \*Ms. DeGette. Aye.  
5950 \*The Clerk. DeGette votes aye.  
5951 Schakowsky?  
5952 \*Ms. Schakowsky. Aye.  
5953 \*The Clerk. Schakowsky votes aye.  
5954 Matsui?  
5955 \*Ms. Matsui. Aye.  
5956 \*The Clerk. Matsui votes aye.  
5957 Castor?  
5958 \*Ms. Castor. [Inaudible.]  
5959 \*The Clerk. Castor votes aye.  
5960 Sarbanes?  
5961 \*Mr. Sarbanes. [Inaudible.]  
5962 \*The Clerk. Sarbanes votes aye.  
5963 Tonko?  
5964 [No response.]  
5965 \*The Clerk. Clarke?  
5966 \*Ms. Clarke. Aye.  
5967 \*The Clerk. Clarke votes aye.  
5968 Cardenas?

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5969 \*Mr. Cardenas. Aye.  
5970 \*The Clerk. Cardenas votes aye.  
5971 Ruiz?  
5972 \*Mr. Ruiz. Aye.  
5973 \*The Clerk. Ruiz votes aye.  
5974 Peters?  
5975 \*Mr. Peters. [Inaudible.]  
5976 \*The Clerk. Peters votes aye.  
5977 Dingell?  
5978 [No response.]  
5979 \*The Clerk. Veasey?  
5980 \*Mr. Veasey. Aye.  
5981 \*The Clerk. Veasey votes aye.  
5982 Kuster?  
5983 \*Ms. Kuster. Aye.  
5984 \*The Clerk. Kuster votes aye.  
5985 Kelly?  
5986 \*Ms. Kelly. Aye.  
5987 \*The Clerk. Kelly votes aye.  
5988 Barragan?  
5989 \*Ms. Barragan. Aye.

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5990 \*The Clerk. Barragan votes aye.  
5991 Blunt Rochester?  
5992 \*Ms. Blunt Rochester. Aye.  
5993 \*The Clerk. Blunt Rochester votes aye.  
5994 Soto?  
5995 [No response.]  
5996 \*The Clerk. Craig?  
5997 \*Ms. Craig. Aye.  
5998 \*The Clerk. Craig votes aye.  
5999 Schrier?  
6000 [No response.]  
6001 \*The Clerk. Trahan?  
6002 [No response.]  
6003 \*The Clerk. Fletcher?  
6004 \*Mrs. Fletcher. Aye.  
6005 \*The Clerk. Fletcher votes aye.  
6006 \*The Chair. Is any member seeking to be recorded?  
6007 \*The Clerk. Mr. Soto is not recorded.  
6008 \*Mr. Soto. Soto votes aye.  
6009 \*The Clerk. Mr. Soto votes aye.  
6010 [Pause.]

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6011 \*The Chair. The clerk will report the vote.

6012 [Pause.]

6013 \*The Chair. Oh --

6014 \*The Clerk. Mr. Fulcher is not recorded.

6015 \*Mr. Fulcher. Fulcher is no.

6016 \*The Clerk. Fulcher votes no.

6017 \*Mrs. Dingell. [Inaudible.]

6018 \*The Clerk. Mrs. Dingell is not recorded.

6019 \*The Chair. I think --

6020 \*Mrs. Dingell. Dingell votes no.

6021 \*The Clerk. Dingell votes no.

6022 \*The Chair. I think you want to vote -- you want to  
6023 vote yes.

6024 \*Mrs. Dingell. No, I want to vote yes.

6025 [Laughter.]

6026 \*The Clerk. Mrs. Dingell is off no, on aye.

6027 \*The Chair. How is Ms. Clarke --

6028 \*Ms. Clarke. How am I recorded?

6029 \*The Chair. How is Ms. Clarke recorded?

6030 \*The Clerk. Ms. Clarke is not recorded. Or Ms. Clarke  
6031 was recorded as aye.

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6032 \*The Chair. Thank you. All good.

6033 [Pause.]

6034 \*The Chair. Madam Clerk, how is Mr. Tonko recorded?

6035 \*The Clerk. Mr. Tonko is not recorded.

6036 \*Mr. Tonko. Tonko votes aye.

6037 \*The Clerk. Mr. Tonko votes aye.

6038 [Pause.]

6039 \*The Chair. The clerk will report.

6040 [Pause.]

6041 \*The Clerk. Chair Rodgers, on that vote we have 20 ayes  
6042 and 28 noes.

6043 \*The Chair. The noes have it, the amendment is not  
6044 adopted.

6045 Is there further discussion?

6046 For what purpose --

6047 \*Ms. Castor. Just a point of personal privilege.

6048 \*The Chair. The lady from Florida, Ms. Castor.

6049 \*Ms. Castor. Colleagues, you may see our former  
6050 colleague, Congressman Dennis Ross, in the audience. He has  
6051 brought students from Southeastern University, where he is --  
6052 has brought students every semester to see the democratic

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6053 process in -- here on Capitol Hill. So I wanted to welcome  
6054 them to the Energy and Commerce Committee.

6055 [Applause.]

6056 \*The Chair. Yes, welcome to the best committee on  
6057 Capitol Hill.

6058 [Laughter.]

6059 \*The Chair. All right. Are there further amendments,  
6060 further discussion on the bill, on the resolution -- on the  
6061 bill, it is a bill. On the bill.

6062 Okay, seeing none, the question now occurs on approving  
6063 H.R. 1130, as amended. A recorded vote has been requested.  
6064 The clerk will call the roll.

6065 \*The Clerk. Rodgers?

6066 \*The Chair. Aye.

6067 \*The Clerk. Rodgers votes aye.

6068 Burgess?

6069 \*Mr. Burgess. Aye.

6070 \*The Clerk. Burgess votes aye.

6071 Latta?

6072 \*Mr. Latta. Aye.

6073 \*The Clerk. Latta votes aye.

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6074 Guthrie?  
6075 \*Mr. Guthrie. Aye.  
6076 \*The Clerk. Guthrie votes aye.  
6077 Griffith?  
6078 \*Mr. Griffith. Aye.  
6079 \*The Clerk. Griffith votes aye.  
6080 Bilirakis?  
6081 \*Mr. Bilirakis. [Inaudible.]  
6082 \*The Clerk. Bilirakis votes aye.  
6083 Johnson?  
6084 \*Mr. Johnson. Aye.  
6085 \*The Clerk. Johnson votes aye.  
6086 Bucshon?  
6087 \*Mr. Bucshon. Aye.  
6088 \*The Clerk. Bucshon votes aye.  
6089 Hudson?  
6090 \*Mr. Hudson. Aye.  
6091 \*The Clerk. Hudson votes aye.  
6092 Walberg?  
6093 \*Mr. Walberg. Aye.  
6094 \*The Clerk. Walberg votes aye.

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6095 Carter?

6096 \*Mr. Carter. Aye.

6097 \*The Clerk. Carter votes aye.

6098 Duncan?

6099 \*Mr. Duncan. Aye.

6100 \*The Clerk. Duncan votes aye.

6101 Palmer?

6102 \*Mr. Palmer. Aye.

6103 \*The Clerk. Palmer votes aye.

6104 Dunn?

6105 \*Mr. Dunn. Aye.

6106 \*The Clerk. Dunn votes aye.

6107 Curtis?

6108 \*Mr. Curtis. Aye.

6109 \*The Clerk. Curtis votes aye.

6110 Lesko?

6111 \*Mrs. Lesko. Aye.

6112 \*The Clerk. Lesko votes aye.

6113 Pence?

6114 \*Mr. Pence. Aye.

6115 \*The Clerk. Pence votes aye.

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6116 Crenshaw?

6117 [No response.]

6118 \*The Clerk. Joyce?

6119 \*Mr. Joyce. Aye.

6120 \*The Clerk. Joyce votes aye.

6121 Armstrong?

6122 \*Mr. Armstrong. Yes.

6123 \*The Clerk. Armstrong votes aye.

6124 Weber?

6125 \*Mr. Weber. Aye.

6126 \*The Clerk. Weber votes aye.

6127 Allen?

6128 \*Mr. Allen. [Inaudible.]

6129 \*The Clerk. Allen votes aye.

6130 Balderson?

6131 \*Mr. Balderson. Aye.

6132 \*The Clerk. Balderson votes aye.

6133 Fulcher?

6134 \*Mr. Fulcher. Fulcher is aye.

6135 \*The Clerk. Fulcher votes aye.

6136 Pfluger?

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6137 \*Mr. Pfluger. [Inaudible.]  
6138 \*The Clerk. Pfluger votes aye.  
6139 Harshbarger?  
6140 \*Mrs. Harshbarger. [Inaudible.]  
6141 \*The Clerk. Harshbarger votes aye.  
6142 Miller-Meeks?  
6143 [No response.]  
6144 \*The Clerk. Cammack?  
6145 \*Mrs. Cammack. Aye.  
6146 \*The Clerk. Cammack votes aye.  
6147 Obernolte?  
6148 \*Mr. Obernolte. Aye.  
6149 \*The Clerk. Obernolte votes aye.  
6150 Pallone?  
6151 [No response.]  
6152 \*The Clerk. Pallone?  
6153 \*Mr. Pallone. No.  
6154 \*The Clerk. Pallone votes no.  
6155 Eshoo?  
6156 \*Ms. Eshoo. No.  
6157 \*The Clerk. Eshoo votes no.

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6158 DeGette?  
6159 \*Ms. DeGette. No.  
6160 \*The Clerk. DeGette votes no.  
6161 Schakowsky?  
6162 \*Ms. Schakowsky. No.  
6163 \*The Clerk. Schakowsky votes no.  
6164 Matsui?  
6165 \*Ms. Matsui. No.  
6166 \*The Clerk. Matsui votes no.  
6167 Castor?  
6168 \*Ms. Castor. [Inaudible.]  
6169 \*The Clerk. Castor votes no.  
6170 Sarbanes?  
6171 \*Mr. Sarbanes. No.  
6172 \*The Clerk. Sarbanes votes no.  
6173 Tonko?  
6174 \*Mr. Tonko. No.  
6175 \*The Clerk. Tonko votes no.  
6176 Clarke?  
6177 \*Ms. Clarke. No.  
6178 \*The Clerk. Clarke votes no.

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6179 Cardenas?  
6180 \*Mr. Cardenas. No.  
6181 \*The Clerk. Cardenas votes no.  
6182 Ruiz?  
6183 \*Mr. Ruiz. No.  
6184 \*The Clerk. Ruiz votes no.  
6185 Peters?  
6186 \*Mr. Peters. [Inaudible.]  
6187 \*The Clerk. Peters votes no.  
6188 Dingell?  
6189 \*Mrs. Dingell. [Inaudible.]  
6190 \*The Clerk. Dingell votes no.  
6191 Veasey?  
6192 \*Mr. Veasey. No.  
6193 \*The Clerk. Veasey votes no.  
6194 Kuster?  
6195 \*Ms. Kuster. [Inaudible.]  
6196 \*The Clerk. Kuster votes no.  
6197 Kelly?  
6198 \*Ms. Kelly. [Inaudible.]  
6199 \*The Clerk. Kelly votes no.

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6200 Barragan?

6201 \*Ms. Barragan. No.

6202 \*The Clerk. Barragan votes no.

6203 Blunt Rochester?

6204 [No response.]

6205 \*The Clerk. Soto?

6206 \*Mr. Soto. No.

6207 \*The Clerk. Soto votes no.

6208 Craig?

6209 \*Ms. Craig. [Inaudible.]

6210 \*The Clerk. Craig votes no.

6211 Schrier?

6212 [No response.]

6213 \*The Clerk. Trahan?

6214 [No response.]

6215 \*The Clerk. Fletcher?

6216 \*Mrs. Fletcher. No.

6217 \*The Clerk. Fletcher votes no.

6218 \*The Chair. Any member who is seeking to be recorded?

6219 [Pause.]

6220 \*The Chair. The clerk -- oh, one more. Oh, how is Ms.

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6221 Blunt Rochester recorded?

6222 \*The Clerk. Ms. Blunt Rochester is not recorded.

6223 \*Ms. Blunt Rochester. No.

6224 \*The Clerk. Ms. Blunt Rochester votes no.

6225 \*The Chair. The clerk will report the vote.

6226 \*The Clerk. Chair Rodgers, on that vote, we have 27  
6227 ayes and 21 noes.

6228 \*The Chair. The ayes have it, the bill is adopted.

6229 The chair calls up H.R. 1115, and asks the clerk to  
6230 report.

6231 \*The Clerk. Committee print of H.R. 1115, as forwarded  
6232 by the Subcommittee on Energy, Climate, and Grid Security.  
6233 Section 1 --

6234 \*The Chair. Without objection, the first reading of the  
6235 bill is dispensed with, and the bill will be open for  
6236 amendment at any point.

6237 So ordered.

6238 [The bill follows:]

6239

6240 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

6241

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6242 \*The Chair. Does anyone seek recognition on the bill?

6243 \*Mr. Burgess. I do.

6244 \*The Chair. The gentleman from Texas, for what purpose  
6245 do you seek recognition?

6246 \*Mr. Burgess. Thank you, Madam Chair. I am grateful  
6247 that this bill, the Promoting Interagency Coordination for  
6248 the Review of Natural Gas Pipelines Act, is being considered  
6249 in the full committee today.

6250 Specifically, this establishes the Federal Energy  
6251 Regulatory Commission, or FERC, as the lead agency to  
6252 coordinate between Federal, state, and local agencies in the  
6253 NEPA review process for pipelines under the Natural Gas Act.

6254 The bill does not remove from the review process  
6255 agencies that have statutory obligations to conduct a NEPA  
6256 review for a natural gas pipeline. Rather, it empowers FERC  
6257 to issue a timely decision on a specific project.

6258 H.R. 1115 would also establish a deadline of 90 days  
6259 after FERC has completed a NEPA review for Federal  
6260 authorization of a project, and requires FERC to notify  
6261 Congress if that deadline cannot be met.

6262 If passed, H.R. 1115 would guarantee accountability and

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6263 transparency from FERC during a coordinated Federal, state,  
6264 and local NEPA review to ensure growth and security for  
6265 America's energy sector.

6266 And I yield back my time.

6267 \*The Chair. The gentleman yields back. Is there  
6268 further discussion on the bill?

6269 \*Mr. Duncan. Madam Chair?

6270 \*The Chair. For what purpose does the gentleman from  
6271 South Carolina --

6272 \*Mr. Duncan. I have an amendment at the desk.

6273 \*The Chair. The clerk will report the amendment.

6274 \*The Clerk. Can Mr. Duncan please specify the  
6275 amendment?

6276 \*Mr. Duncan. It looks like FCAWQ, the only one I have  
6277 got.

6278 \*The Clerk. I am sorry. Could you please repeat?

6279 \*Voice. Let me take it down to her.

6280 \*Mr. Duncan. I am sorry?

6281 \*Voice. I will take it down there to her.

6282 \*Mr. Duncan. You don't have it?

6283 \*The Clerk. Did you say the amendment 03?

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6284 \*Mr. Duncan. Amendment --

6285 [Pause.]

6286 \*The Clerk. Yes, amendment to the committee print for  
6287 H.R. 1115, offered by Mr. Duncan.

6288 \*The Chair. The clerk will -- without objection, the  
6289 reading of the amendment is dispensed with.

6290

6291

6292 [The amendment of Mr. Duncan follows:]

6293

6294 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

6295

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6296           \*Mr. Pallone. Madam Chair, I do want to reserve a point  
6297 of order on the amendment.

6298           \*The Chair. The gentleman reserves.

6299           Okay, is there discussion of the amendment?

6300           \*Mr. Duncan. Thank you, Madam Chair.

6301           \*The Chair. The gentleman from -- Mr. Duncan is  
6302 recognized for five minutes.

6303           \*Mr. Duncan. Thank you. This amendment will require  
6304 states to work with FERC to address water quality concerns  
6305 relating to the construction of interstate pipelines and LNG  
6306 export facilities. This amendment would no longer require  
6307 separate and duplicative environmental reviews, bringing more  
6308 transparency and predictability to the process.

6309           For political purposes, states have weaponized section  
6310 401 of the Clean Water Act to block construction of pipelines  
6311 that would provide clean, reliable energy to the American  
6312 people. Despite having some of the highest natural gas  
6313 prices in the country, states like New York have blocked  
6314 much-needed pipelines by abusing their delegated  
6315 responsibilities under the Clean Water Act. States are  
6316 currently using their 401 authorities as a one-state veto of

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6317 multi-state projects.

6318           The political actions of one state, New York, are  
6319 preventing clean, reliable and affordable natural gas from  
6320 the Appalachian and Marcellus Shale down to the southeast and  
6321 on up to New England. This change is critical to prevent the  
6322 political agenda of states from vetoing projects of national  
6323 significance, projects that would benefit citizens of  
6324 multiple states. And 401 has been weaponized by one state to  
6325 the detriment of citizens of several states. An example is  
6326 the Atlantic Coast pipeline bringing energy to the Carolinas.

6327           Because we lack the necessary natural gas  
6328 infrastructure, New England states are forced to rely on  
6329 Russia, Iran, Venezuela for energy, or burn dirtier heating  
6330 oil, rather than cleaner burning U.S.-burned -- produced  
6331 natural gas.

6332           I want to note that this amendment still preserves the  
6333 authority of the states to raise legitimate water quality  
6334 concerns. The state would recommend mitigation conditions to  
6335 FERC to ensure compliance with water quality standards. It  
6336 would preserve their ability to raise legitimate water  
6337 quality claims, but prevent liberal, anti-fossil fuel states

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6338 from using water quality as a pretext to block projects for  
6339 political reasons through section 401 to the detriment of  
6340 states like mine.

6341 This amendment has no effect on NEPA or any other  
6342 environmental laws. It actually helps the states work in  
6343 tandem with the Federal agencies.

6344 If we want to continue to lead the world in emission  
6345 reductions and energy production, we must build out our  
6346 pipeline infrastructure to deliver affordable, reliable, and  
6347 clean American energy to all Americans, and I urge my  
6348 colleagues to adopt this amendment.

6349 And I yield back.

6350 \*Mr. Pallone. Madam Chair?

6351 \*The Chair. For what purpose does the ranking member  
6352 seek recognition?

6353 \*Mr. Pallone. I insist on my point of order.

6354 \*The Chair. The gentleman will state his point of  
6355 order.

6356 \*Mr. Pallone. Madam Chair, I would like to make a point  
6357 of order on the pending amendment.

6358 The pending amendment violates the germaneness

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6359 requirement of Rule XVI, clause 7 of the Rules of the House  
6360 of Representatives. This amendment negates a portion of  
6361 section 401 of the Federal Water Pollution Control Act as it  
6362 applies for natural gas pipelines.

6363           There is longstanding precedent that the Federal Water  
6364 Pollution and Control Act is referred to the House Committee  
6365 on Transportation -- excuse me, it is hard for me to say that  
6366 -- and Infrastructure. Because this amendment turns off  
6367 section 401 of that law, it triggers T&E jurisdiction,  
6368 violating the subject matter germaneness test of Rule XVI,  
6369 because it turns off a statute that is referred to a  
6370 committee not triggered by the underlying bill.

6371           So I urge the chair to hold that this amendment is not  
6372 germane.

6373           \*The Chair. Does the amendment sponsor wish to be heard  
6374 on the point of order?

6375           Mr. Duncan is recognized on the point of order.

6376           \*Mr. Duncan. Yes, Madam Chair. My amendment says that  
6377 an applicant for a Federal authorization shall not be  
6378 required to provide a certification under section 401 of the  
6379 FWPCA, and those certifications are already included in the

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6380 subject matter of H.R. 1115.

6381           On page 1 of my amendment, section 2(a)(2), the  
6382 definition of Federal authorization has the meaning given  
6383 that term in section 15(a) of the Natural Gas Act. Under  
6384 Section 15(a) of the Natural Gas Act, the term Federal  
6385 authorization, one, means any authorization required under  
6386 Federal law with respect to an application for authorization  
6387 under section 717(b) of this title, or a certificate of  
6388 public convenience and necessity under section 717(f) of this  
6389 title; and two, includes any permit, special use,  
6390 authorization, certifications, opinions, or other approvals  
6391 that may be required under Federal law with respect to an  
6392 application for authorization under section 17(b) of this  
6393 title, or a certificate of public convenience and necessity  
6394 under section 717(f) of this title.

6395           So the section 401 certification is already included in  
6396 the subject matter of H.R. 1115, and this amendment is  
6397 clearly germane.

6398           I yield back.

6399           \*The Chair. The chair is ready to rule.

6400           Mr. Pallone makes a point of order that the amendment

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6401 offered by Mr. Duncan is not germane. Clause 7 of Rule XVI,  
6402 the germaneness rule, provides that no proposition on a  
6403 subject different from that under consideration shall be  
6404 admitted under color of amendment.

6405 H.R. 1115 provides for the coordination of Federal  
6406 authorizations under the Natural Gas Act. The amendment  
6407 would provide that a certification under section 401 of the  
6408 FWPCA is not necessary for a Federal authorization.

6409 The Chair finds that the amendment falls within the  
6410 subject matter of the underlying bill. The parliamentarians  
6411 have held that an amendment does not have to be entirely  
6412 devoid of another committee's jurisdiction, so long as it  
6413 contains the jurisdiction of the committee considering it.  
6414 It is, therefore, germane.

6415 The point of order is overruled.

6416 \*Mr. Pallone. Is that your effort to extend our  
6417 jurisdiction?

6418 \*The Chair. That is right, always.

6419 \*Mr. Pallone. If it is, I am all for it.

6420 [Laughter.]

6421 \*Mr. Pallone. Ms. Clarke wants to speak in opposition.

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6422           \*The Chair. Okay. For what purpose would Ms. Clarke  
6423 seek recognition?

6424           \*Ms. Clarke. Madam Chair, I move to strike the last  
6425 word.

6426           \*Ms. Clarke. The lady is recognized for five minutes to  
6427 strike --

6428           \*Ms. Clarke. Frankly, Madam Chair, I cannot overstate  
6429 my opposition to this amendment. It completely guts section  
6430 401 of the Clean Water Act, as it applies to natural gas  
6431 pipelines, and removes states' ability to deliberate on and  
6432 issue permits for these pipelines.

6433           Let's be clear here. I never want to hear my colleagues  
6434 on the other side of the aisle talk about states' rights  
6435 again if they are going to support this amendment that would  
6436 completely strip away any state's ability to protect its  
6437 water resources and the health of its residents.

6438           This amendment would also make FERC into an  
6439 environmental regulator, asking it to pick and choose between  
6440 proposed conditions for states to apply to natural gas  
6441 pipelines. FERC, as an agency, has many responsibilities,  
6442 but it is simply not designed to be an environmental

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6443 regulator. This is not its expertise. This is not its  
6444 experience.

6445 This amendment gives FERC no extra resources to allow it  
6446 to grow its staff to deal with this explosion of  
6447 responsibility. It is a handout to fossil fuel companies at  
6448 the expense of our streams, our rivers, our lakes, our  
6449 livelihoods, and our health.

6450 I urge all members to oppose this amendment, and I yield  
6451 back the balance of my time.

6452 \*The Chair. The lady yields back. Is there further  
6453 discussion on the amendment?

6454 The gentleman from California, for what purpose do you  
6455 seek recognition?

6456 \*Mr. Obernolte. I move to strike the last word.

6457 \*The Chair. The gentleman is recognized for five  
6458 minutes.

6459 \*Mr. Obernolte. Madam Chair, I speak in strong support  
6460 of H.R. 1115, and I thank my friend, the gentleman from  
6461 Texas, Dr. Burgess, for bringing it forward.

6462 This bill merely improves coordination between Federal  
6463 and state agencies regarding the permitting and construction

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6464 of natural gas pipelines. That is important for my district,  
6465 because my constituents are paying over twice as much for  
6466 natural gas this winter as they were the winter before. Some  
6467 places in my district that is over three times as much. That  
6468 is disproportionately impacting the segment of our population  
6469 that can least afford to pay it. That is the working class  
6470 and the people who are impoverished. That is a very real  
6471 problem for my district.

6472           Unfortunately, this shortage has been exacerbated by the  
6473 actions of both Federal and state governments. For example,  
6474 in my district in 2019 the State government passed a new  
6475 regulation prohibiting the leasing of any state lands for the  
6476 purpose of natural gas pipelines, making the supply shortage  
6477 even more acute.

6478           Natural gas remains the predominant source of  
6479 electricity generated in California, particularly so because  
6480 our hydroelectric capacity has been cut in recent years  
6481 because of the drought. That is one of the reasons why, with  
6482 the spike in natural gas prices, that electricity prices that  
6483 my constituents pay are over twice as high for residential  
6484 electricity as in neighboring states, over three times as

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6485 high for commercial electricity, over four times as high for  
6486 industrial electricity. That has a very real and meaningful  
6487 impact on the quality of life of the people that I represent.

6488 This bill would make things better. It does not weaken  
6489 environmental protections. It merely improves coordination  
6490 between Federal and state agencies, and I think it makes a  
6491 lot of sense.

6492 I urge its adoption. I yield back.

6493 \*The Chair. The gentleman yields back. Is there  
6494 further discussion on the amendment?

6495 Seeing none, the vote occurs on the amendment offered by  
6496 Mr. Duncan.

6497 All those in favor, say aye.

6498 Those opposed, no.

6499 The ayes have it.

6500 \*Voice. Roll call.

6501 \*Mr. Pallone. Do you want a roll call?

6502 A roll call, I guess.

6503 \*The Chair. A roll call has been requested. The clerk  
6504 will call the roll.

6505 \*The Clerk. Rodgers?

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6506           \*The Chair.   Aye.  
6507           \*The Clerk.   Rodgers votes aye.  
6508           Burgess?  
6509           \*Mr. Burgess.  Votes aye.  
6510           \*The Clerk.   Burgess votes aye.  
6511           Latta?  
6512           \*Mr. Latta.   Aye.  
6513           \*The Clerk.   Latta votes aye.  
6514           Guthrie?  
6515           \*Mr. Guthrie.  Aye.  
6516           \*The Clerk.   Guthrie votes aye.  
6517           Griffith?  
6518           \*Mr. Griffith. Aye.  
6519           \*The Clerk.   Griffith votes aye.  
6520           Bilirakis?  
6521           \*Mr. Bilirakis. Aye.  
6522           \*The Clerk.   Bilirakis votes aye.  
6523           Johnson?  
6524           [No response.]  
6525           \*The Clerk.   Bucshon?  
6526           \*Mr. Bucshon.  Aye.

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6527           \*The Clerk.   Bucshon votes aye.  
6528           Hudson?  
6529           [No response.]  
6530           \*The Clerk.   Walberg?  
6531           \*Mr. Walberg.  Aye.  
6532           \*The Clerk.   Walberg votes aye.  
6533           Carter?  
6534           \*Mr. Carter.  Aye.  
6535           \*The Clerk.   Carter votes aye.  
6536           Duncan?  
6537           \*Mr. Duncan.  Aye.  
6538           \*The Clerk.   Duncan votes aye.  
6539           Palmer?  
6540           \*Mr. Palmer.  [Inaudible.]  
6541           \*The Clerk.   Palmer votes aye.  
6542           Dunn?  
6543           \*Mr. Dunn.   Aye.  
6544           \*The Clerk.   Dunn votes aye.  
6545           Curtis?  
6546           \*Mr. Curtis.  [Inaudible.]  
6547           \*The Clerk.   Curtis votes aye.

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6548 Lesko?  
6549 \*Mrs. Lesko. Aye.  
6550 \*The Clerk. Lesko votes aye.  
6551 Pence?  
6552 \*Mr. Pence. Aye.  
6553 \*The Clerk. Pence votes aye.  
6554 Crenshaw?  
6555 [No response.]  
6556 \*The Clerk. Joyce?  
6557 [No response.]  
6558 \*The Clerk. Armstrong?  
6559 \*Mr. Armstrong. Yes.  
6560 \*The Clerk. Armstrong votes aye.  
6561 Weber?  
6562 \*Mr. Weber. Aye.  
6563 \*The Clerk. Weber votes aye.  
6564 Allen?  
6565 \*Mr. Allen. Aye.  
6566 \*The Clerk. Allen votes aye.  
6567 Balderson?  
6568 \*Mr. Balderson. [Inaudible.]

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6569           \*The Clerk. Balderson votes aye.  
6570           Fulcher?  
6571           \*Mr. Fulcher. Fulcher is no.  
6572           \*The Clerk. Fulcher votes no.  
6573           Pflugger?  
6574           \*Mr. Pflugger. Aye.  
6575           \*The Clerk. Pflugger votes aye.  
6576           Harshbarger?  
6577           \*Mrs. Harshbarger. [Inaudible.]  
6578           \*The Clerk. Harshbarger votes aye.  
6579           Miller-Meeks?  
6580           \*Mrs. Miller-Meeks. Aye.  
6581           \*The Clerk. Miller-Meeks votes aye.  
6582           Cammack?  
6583           \*Mrs. Cammack. Aye.  
6584           \*The Clerk. Cammack votes aye.  
6585           Oberholte?  
6586           \*Mr. Oberholte. Aye.  
6587           \*The Clerk. Oberholte votes aye.  
6588           Pallone?  
6589           \*Mr. Pallone. No.

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6590           \*The Clerk. Pallone votes no.  
6591           Eshoo?  
6592           \*Ms. Eshoo. No.  
6593           \*The Clerk. Eshoo votes no.  
6594           DeGette?  
6595           \*Ms. DeGette. No.  
6596           \*The Clerk. DeGette votes no.  
6597           Schakowsky?  
6598           \*Ms. Schakowsky. No.  
6599           \*The Clerk. Schakowsky votes no.  
6600           Matsui?  
6601           \*Ms. Matsui. No.  
6602           \*The Clerk. Matsui votes no.  
6603           Castor?  
6604           \*Ms. Castor. [Inaudible.]  
6605           \*The Clerk. Castor votes no.  
6606           Sarbanes?  
6607           \*Mr. Sarbanes. No.  
6608           \*The Clerk. Sarbanes votes no.  
6609           Tonko?  
6610           [No response.]

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6611           \*The Clerk. Clarke?  
6612           \*Ms. Clarke. No.  
6613           \*The Clerk. Clarke votes no.  
6614           Cardenas?  
6615           \*Mr. Cardenas. No.  
6616           \*The Clerk. Cardenas votes no.  
6617           Ruiz?  
6618           \*Mr. Ruiz. No.  
6619           \*The Clerk. Ruiz votes no.  
6620           Peters?  
6621           \*Mr. Peters. [Inaudible.]  
6622           \*The Clerk. Peters votes no.  
6623           Dingell?  
6624           [No response.]  
6625           \*The Clerk. Veasey?  
6626           \*Mr. Veasey. No.  
6627           \*The Clerk. Veasey votes no.  
6628           Kuster?  
6629           \*Ms. Kuster. No.  
6630           \*The Clerk. Kuster votes no.  
6631           Kelly?

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6632 \*Ms. Kelly. No.

6633 \*The Clerk. Kelly votes no.

6634 Barragan?

6635 [No response.]

6636 \*The Clerk. Barragan?

6637 \*Ms. Barragan. How is Barragan recorded?

6638 \*The Clerk. Ms. Barragan is not recorded.

6639 \*Ms. Barragan. No.

6640 \*The Clerk. Barragan votes no.

6641 Blunt Rochester?

6642 \*Ms. Blunt Rochester. No.

6643 \*The Clerk. Blunt Rochester votes no.

6644 Soto?

6645 \*Mr. Soto. No.

6646 \*The Clerk. Soto votes no.

6647 Craig?

6648 \*Ms. Craig. No.

6649 \*The Clerk. Craig votes no.

6650 Schrier?

6651 [No response.]

6652 \*The Clerk. Trahan?

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6653 [No response.]

6654 \*The Clerk. Fletcher?

6655 \*Mrs. Fletcher. No.

6656 \*The Clerk. Fletcher votes no.

6657 \*Mr. Tonko. [Inaudible.]

6658 \*The Clerk. Mr. Tonko is not recorded.

6659 \*Mr. Tonko. Tonko votes no.

6660 \*The Clerk. Tonko votes no.

6661 \*The Chair. Any other members not recorded?

6662 \*The Clerk. Mr. Johnson is not recorded.

6663 \*Mr. Johnson. Johnson votes aye.

6664 \*The Clerk. Johnson votes aye.

6665 \*The Chair. Joyce?

6666 \*The Clerk. Mr. Joyce is not recorded.

6667 \*Mr. Joyce. Joyce votes aye.

6668 \*The Clerk. Joyce votes aye.

6669 [Pause.]

6670 \*The Chair. The clerk will report the vote.

6671 [Pause.]

6672 \*The Clerk. Chair Rodgers, on that vote we have 26 ayes

6673 and 21 noes.

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6674 \*The Chair. The ayes have it, the amendment is adopted.

6675 Are there further amendments?

6676 The lady from Colorado, Ms. DeGette.

6677 \*Ms. DeGette. Thank you, Madam Chair. I have an  
6678 amendment at the desk labeled FCN01.

6679 \*The Chair. The clerk will report the amendment.

6680 \*The Clerk. Amendment to H.R. 1115, offered by Ms.  
6681 DeGette. Add at the end the following: Section 4, eminent  
6682 domain only in the public interest. Subsection H of section  
6683 7 of the Natural Gas Act --

6684 \*The Chair. Without objection, the clerk will dispense  
6685 with the reading.

6686 [The amendment of Ms. DeGette follows:]

6687

6688 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

6689

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6690           \*The Chair. The lady from Colorado, Ms. DeGette, is  
6691 recognized for five minutes in support of her amendment.

6692           \*Ms. DeGette. Thank you, Madam Chair. Aside from the  
6693 fact that this bill limits the government's ability to  
6694 evaluate the environmental harms new gas pipelines may cause,  
6695 it also creates unnecessary, adversarial relationships  
6696 between FERC and other Federal and state agencies and local  
6697 and tribal governments involved in the pipeline authorization  
6698 process.

6699           Also, parts of this bill continue to erode the rights of  
6700 people who oppose having a pipeline on their land. Not even  
6701 to veto having a pipeline on their land, but just to have an  
6702 opportunity to have their voices heard and have a fair fight  
6703 about the issue.

6704           My amendment attempts to even the playing field. It  
6705 simply says that FERC may not allow a pipeline developer to  
6706 invoke eminent domain authority under the Natural Gas Act,  
6707 unless FERC finds that the use of eminent domain authority is  
6708 in the public interest.

6709           The Natural Gas Act has no requirement that FERC make a  
6710 finding of public interest before issuing a certificate of

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6711 public convenience, a necessity that allows a natural gas  
6712 pipeline to begin construction and operations. But that  
6713 means that it requires no investigation of public interest  
6714 before allowing any pipeline developer to utilize eminent  
6715 domain authority.

6716 Frankly, Madam Chair, I think this should be a  
6717 bipartisan issue, because Republicans and Democrats should be  
6718 concerned about the implications of anybody being allowed to  
6719 use eminent domain authority without a review about whether  
6720 usage is in the public interest or not.

6721 And so this was a bipartisan amendment in the last  
6722 Congress that was offered by then-Energy Subcommittee Ranking  
6723 Member Rush and, somehow, Mr. Griffith also supported it when  
6724 he offered this amendment six years ago. And so I am hoping  
6725 everybody on this committee will support this amendment, and  
6726 I urge its adoption, and yield back.

6727 \*The Chair. The gentlelady yields back. Is there  
6728 further discussion on the amendment?

6729 The gentleman from Texas is recognized, Mr. Burgess, for  
6730 five minutes.

6731 \*Mr. Burgess. Thank you, I thank the chair.

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6732           So the amendment actually rewrites the Natural Gas Act,  
6733           introducing new standards, and upending decades of precedent  
6734           with respect to the use of eminent domain.

6735           This amendment is not necessary. Eminent domain is a  
6736           tool of last resort, very rarely used.

6737           The Natural Gas Act already contains robust public  
6738           interest protections. No person may construct a pipeline  
6739           unless FERC determines that the proposed pipeline will serve  
6740           the public convenience and necessity: existing law, current  
6741           law. The Natural Gas Act, the public interest standard is  
6742           transparent and effective.

6743           This amendment would add a new and potentially  
6744           conflicting standard that has never been the subject of any  
6745           hearing. We have never heard from FERC on this, and we have  
6746           no idea how, in fact, it would be implemented.

6747           I share my colleague's concern about the use of private  
6748           lands, but I have concerns that this amendment is only  
6749           designed to stop pipelines and deprive the American people of  
6750           the energy that they so desperately need.

6751           And I will yield back.

6752           \*The Chair. The gentleman yields back. Is there

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6753 further discussion on the amendment?

6754 Seeing none, the question --

6755 \*Mr. Pallone. A recorded vote.

6756 \*The Chair. -- occurs of -- a recorded vote has been  
6757 requested. The vote -- clerk will call the vote on the  
6758 DeGette amendment.

6759 \*The Clerk. Rodgers?

6760 \*The Chair. No.

6761 \*The Clerk. Rodgers votes no.

6762 Burgess?

6763 \*Mr. Burgess. Votes no.

6764 \*The Clerk. Burgess votes no.

6765 Latta?

6766 [No response.]

6767 \*The Clerk. Guthrie?

6768 [No response.]

6769 \*The Clerk. Griffith?

6770 [No response.]

6771 \*The Clerk. Bilirakis?

6772 \*Mr. Bilirakis. Bilirakis votes no.

6773 \*The Clerk. Bilirakis votes no.

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6774 Johnson?  
6775 [No response.]  
6776 \*The Clerk. Bucshon?  
6777 [No response.]  
6778 \*The Clerk. Hudson?  
6779 [No response.]  
6780 \*The Clerk. Walberg?  
6781 \*Mr. Walberg. No.  
6782 \*The Clerk. Walberg votes no.  
6783 Carter?  
6784 [No response.]  
6785 \*The Clerk. Duncan?  
6786 \*Mr. Duncan. [Inaudible.]  
6787 \*The Clerk. Duncan votes no.  
6788 Palmer?  
6789 \*Mr. Palmer. No.  
6790 \*The Clerk. Palmer votes no.  
6791 Dunn?  
6792 \*Mr. Dunn. No.  
6793 \*The Clerk. Dunn votes no.  
6794 Curtis?

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6795 \*Mr. Curtis. [Inaudible.]  
6796 \*The Clerk. Curtis votes no.  
6797 Lesko?  
6798 \*Mrs. Lesko. No.  
6799 \*The Clerk. Lesko votes no.  
6800 Pence?  
6801 \*Mr. Pence. No.  
6802 \*The Clerk. Pence votes no.  
6803 Crenshaw?  
6804 [No response.]  
6805 \*The Clerk. Joyce?  
6806 \*Mr. Joyce. No.  
6807 \*The Clerk. Joyce votes no.  
6808 Armstrong?  
6809 \*Mr. Armstrong. No.  
6810 \*The Clerk. Armstrong votes no.  
6811 Weber?  
6812 \*Mr. Weber. No.  
6813 \*The Clerk. Weber votes no.  
6814 Allen?  
6815 \*Mr. Allen. No.

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6816           \*The Clerk. Allen votes no.  
6817           Balderson?  
6818           \*Mr. Balderson. [Inaudible.]  
6819           \*The Clerk. Balderson votes no.  
6820           Fulcher?  
6821           \*Mr. Fulcher. Fulcher, no.  
6822           \*The Clerk. Fulcher votes no.  
6823           Pflugger?  
6824           \*Mr. Pflugger. [Inaudible.]  
6825           \*The Clerk. Pflugger votes no.  
6826           Harshbarger?  
6827           \*Mrs. Harshbarger. [Inaudible.]  
6828           \*The Clerk. Harshbarger votes no.  
6829           Miller-Meeks?  
6830           [No response.]  
6831           \*The Clerk. Cammack?  
6832           \*Mrs. Cammack. No.  
6833           \*The Clerk. Cammack votes no.  
6834           Oberholte?  
6835           \*Mr. Oberholte. [Inaudible.]  
6836           \*The Clerk. Oberholte votes no.

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6837 Pallone?  
6838 \*Mr. Pallone. [Inaudible.]  
6839 \*The Clerk. Pallone votes aye.  
6840 Eshoo?  
6841 \*Ms. Eshoo. Aye.  
6842 \*The Clerk. Eshoo votes aye.  
6843 DeGette?  
6844 \*Ms. DeGette. [Inaudible.]  
6845 \*The Clerk. DeGette votes aye.  
6846 Schakowsky?  
6847 \*Ms. Schakowsky. Aye.  
6848 \*The Clerk. Schakowsky votes aye.  
6849 Matsui?  
6850 \*Ms. Matsui. Aye.  
6851 \*The Clerk. Matsui votes aye.  
6852 Castor?  
6853 \*Ms. Castor. [Inaudible.]  
6854 \*The Clerk. Castor votes aye.  
6855 Sarbanes?  
6856 \*Mr. Sarbanes. Aye.  
6857 \*The Clerk. Sarbanes votes aye.

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6858 Tonko?  
6859 \*Mr. Tonko. Aye.  
6860 \*The Clerk. Tonko votes aye.  
6861 Clarke?  
6862 [No response.]  
6863 \*The Clerk. Clarke?  
6864 \*Ms. Clarke. Aye.  
6865 \*The Clerk. Clarke votes aye.  
6866 Cardenas?  
6867 \*Mr. Cardenas. Aye.  
6868 \*The Clerk. Cardenas votes aye.  
6869 Ruiz?  
6870 \*Mr. Ruiz. [Inaudible.]  
6871 \*The Clerk. Ruiz votes aye.  
6872 Peters?  
6873 \*Mr. Peters. [Inaudible.]  
6874 \*The Clerk. Peters votes aye.  
6875 Dingell?  
6876 [No response.]  
6877 \*The Clerk. Veasey?  
6878 \*Mr. Veasey. Aye.

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6879           \*The Clerk. Veasey votes aye.  
6880           Kuster?  
6881           \*Ms. Kuster. Aye.  
6882           \*The Clerk. Kuster votes aye.  
6883           Kelly?  
6884           \*Ms. Kelly. Aye.  
6885           \*The Clerk. Kelly votes aye.  
6886           Barragan?  
6887           \*Ms. Barragan. Aye.  
6888           \*The Clerk. Barragan votes aye.  
6889           Blunt Rochester?  
6890           \*Ms. Blunt Rochester. Aye.  
6891           \*The Clerk. Blunt Rochester votes aye.  
6892           Soto?  
6893           \*Mr. Soto. Aye.  
6894           \*The Clerk. Soto votes aye.  
6895           Craig?  
6896           \*Ms. Craig. [Inaudible.]  
6897           \*The Clerk. Craig votes aye.  
6898           Schrier?  
6899           [No response.]

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6900 \*The Clerk. Trahan?  
6901 \*Mrs. Trahan. Aye.  
6902 \*The Clerk. Trahan votes aye.  
6903 Fletcher?  
6904 [No response.]  
6905 \*Mr. Duncan. [Presiding] Are any members unrecorded?  
6906 How is Mr. Johnson recorded?  
6907 \*The Clerk. Mr. Johnson is not recorded.  
6908 \*Mr. Johnson. Johnson is a no.  
6909 \*The Clerk. Mr. Johnson votes no.  
6910 \*Mr. Duncan. How is Mr. Guthrie recorded?  
6911 \*The Clerk. Mr. Guthrie is not recorded.  
6912 \*Mr. Guthrie. No.  
6913 \*The Clerk. Guthrie votes no.  
6914 \*Mr. Duncan. How is Mr. Latta recorded?  
6915 \*The Clerk. Mr. Latta is not recorded.  
6916 \*Mr. Latta. Latta votes no.  
6917 \*The Clerk. Latta votes no.  
6918 \*Mr. Duncan. How is Mr. Bucshon recorded?  
6919 \*The Clerk. Mr. Bucshon is not recorded.  
6920 \*Mr. Bucshon. No.

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6921           \*The Clerk.   Bucshon votes no.

6922           \*Mr. Duncan.   How is Mr. Carter reported -- recorded?

6923           \*The Clerk.   Mr. Carter is not recorded.

6924           \*Mr. Carter.   No.

6925           \*The Clerk.   Carter votes no.

6926           \*Mr. Duncan.   How is Mr. Griffith recorded?

6927           \*The Clerk.   Mr. Griffith is not recorded.

6928           \*Mr. Griffith.   Griffith votes aye.

6929           \*The Clerk.   Mr. Griffith votes aye.

6930           \*Mr. Duncan.   Any other members unrecorded?

6931           If not, the clerk will --

6932           \*The Clerk.   Mrs. --

6933           \*Mr. Duncan.   Mrs. Miller-Meeks.

6934           \*The Clerk.   Mrs. Miller-Meeks is not recorded.

6935           Miller-Meeks, how does Mrs. Miller-Meeks --

6936           \*Mrs. Miller-Meeks.   [Inaudible.]

6937           \*The Clerk.   Miller-Meeks votes no.

6938           \*Mr. Duncan.   Any other members?

6939           If not, the clerk will report the total.

6940           [Pause.]

6941           \*The Clerk.   Chair Rodgers, on that vote we have 21 ayes

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6942 and 26 noes.

6943 \*The Chair. [Presiding] The amendment is not agreed to.

6944 Are there further amendments?

6945 The ranking member is recognized.

6946 \*Mr. Pallone. Thank you, Madam Chair. I have an  
6947 amendment at the desk numbered FC amendment 04.

6948 \*The Chair. The clerk will report the amendment.

6949 \*The Chair. Amendment to the committee print for H.R.  
6950 1115, offered by Mr. Pallone --

6951 \*The Chair. Without objection, the reading of the  
6952 amendment is dispensed with.

6953 [The amendment of Mr. Pallone follows:]

6954

6955 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

6956

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6957           \*The Chair. The ranking member is recognized for five  
6958 minutes in support of the amendment.

6959           \*Mr. Pallone. Thank you.

6960           Nearly six years ago, when Republicans last had control  
6961 of the House, they moved this bill, H.R. 1115, through this  
6962 committee. And at the time they had control of the House,  
6963 but also controlled the Senate and the White House. And the  
6964 bill did not make it into law. They then reintroduced this  
6965 bill earlier this year, and did not change a single word.

6966           Now, keeping up with that theme, my amendment has not  
6967 changed since I first offered it six years ago either,  
6968 because the problem with this bill is fundamentally the same.  
6969 The bill includes provisions putting data from aerial surveys  
6970 on the same footing with data collected from on-the-ground  
6971 surveys for purposes of the siting review process.

6972           And there is a fine balance here between giving agencies  
6973 too much leeway and not enough, and this provision clearly  
6974 fails this test. If a state agency feels that aerial data is  
6975 insufficient for it to make a determination to authorize a  
6976 pipeline under, for example, the Clean Water Act, then that  
6977 is the decision of that state agency. We, as the Federal

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6978 Government, after having given state agencies the power to  
6979 make these decisions, I don't think should dictate to them  
6980 what methods they must accept if they think those methods are  
6981 deficient.

6982         And this is an issue, Madam Chair, that is personal to  
6983 my district. Years ago, before the Penneast pipeline project  
6984 was canceled, homeowners in my home state of New Jersey  
6985 reported that companies were surveying their property by air  
6986 without notification or consent. And this meant that they  
6987 received formal notifications that their property was being  
6988 evaluated for a natural gas pipeline far too late in the  
6989 process, with limited opportunity to intervene.

6990         So when a bill that I think is filled with bad policy --  
6991 obviously, I oppose the underlying bill -- but this remote  
6992 survey provision, I think, really takes the cake. It should  
6993 be stripped from the bill, and I would urge all my colleagues  
6994 to support my amendment for that reason.

6995         And I yield back.

6996         \*The Chair. The gentleman yields back. Is there  
6997 further discussion on the amendment?

6998         The gentleman from Texas, Mr. Burgess, is recognized for

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6999 five minutes.

7000 \*Mr. Burgess. I thank the chair. I do want to speak in  
7001 opposition to this amendment. It is, in fact, unnecessary,  
7002 and it does, in fact, strike an important environmental  
7003 safeguard.

7004 The underlying bill allows pipeline operators to perform  
7005 aerial remote surveys on rights of way to obtain preliminary  
7006 environmental data. For example, remote surveys allow  
7007 operators to examine wetlands without disturbing sensitive  
7008 plants and animals. And under the bill, remote surveys are  
7009 supplemental. Any information gathered must be verified by  
7010 ground surveys.

7011 The amendment itself has just one purpose: it is there  
7012 to stop pipelines. Unfortunately, the energy demands of this  
7013 country are such that pipelines are going to continue to be  
7014 necessary. So I urge a no vote on the amendment, and an aye  
7015 vote on the underlying bill.

7016 \*The Chair. The gentleman yields back. Is there  
7017 further discussion on the amendment?

7018 Seeing none, the vote occurs on the ranking member's  
7019 amendment. A requested vote has been -- or a recorded vote

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7020 has been requested. The clerk will call the vote.

7021 \*The Clerk. Rodgers?

7022 \*The Chair. No.

7023 \*The Clerk. Rodgers votes no.

7024 Burgess?

7025 \*Mr. Burgess. Votes no.

7026 \*The Clerk. Burgess votes no.

7027 Latta?

7028 \*Mr. Latta. No.

7029 \*The Clerk. Latta votes no.

7030 Guthrie?

7031 [No response.]

7032

7033 \*The Clerk. Griffith?

7034 \*Mr. Griffith. Griffith votes no.

7035 \*The Clerk. Griffith votes no.

7036 Bilirakis?

7037 \*Mr. Bilirakis. No.

7038 \*The Clerk. Bilirakis votes no.

7039 Johnson?

7040 \*Mr. Johnson. No.

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7041           \*The Clerk. Johnson votes no.  
7042           Bucshon?  
7043           \*Mr. Bucshon. No.  
7044           \*The Clerk. Bucshon votes no.  
7045           Hudson?  
7046           [No response.]  
7047           \*The Clerk. Walberg?  
7048           \*Mr. Walberg. Votes no.  
7049           \*The Clerk. Walberg votes no.  
7050           Carter?  
7051           \*Mr. Carter. No.  
7052           \*The Clerk. Carter votes no.  
7053           Duncan?  
7054           \*Mr. Duncan. [Inaudible.]  
7055           \*The Clerk. Duncan votes no.  
7056           Palmer?  
7057           \*Mr. Palmer. No.  
7058           \*The Clerk. Palmer votes no.  
7059           Dunn?  
7060           \*Mr. Dunn. No.  
7061           \*The Clerk. Dunn votes no.

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7062 Curtis?  
7063 \*Mr. Curtis. [Inaudible.]  
7064 \*The Clerk. Curtis votes no.  
7065 Lesko?  
7066 \*Mrs. Lesko. No.  
7067 \*The Clerk. Lesko votes no.  
7068 Pence?  
7069 \*Mr. Pence. No.  
7070 \*The Clerk. Pence votes no.  
7071 Crenshaw?  
7072 [No response.]  
7073 \*The Clerk. Joyce?  
7074 \*Mr. Joyce. No.  
7075 \*The Clerk. Joyce votes no.  
7076 Armstrong?  
7077 \*Mr. Armstrong. No.  
7078 \*The Clerk. Armstrong votes no.  
7079 Weber?  
7080 \*Mr. Weber. No.  
7081 \*The Clerk. Weber votes no.  
7082 Allen?

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7083           \*Mr. Allen. [Inaudible.]  
7084           \*The Clerk. Allen votes no.  
7085           Balderson?  
7086           \*Mr. Balderson. [Inaudible.]  
7087           \*The Clerk. Balderson votes no.  
7088           Fulcher?  
7089           \*Mr. Fulcher. [Inaudible.]  
7090           \*The Clerk. Fulcher votes no.  
7091           Pfluger?  
7092           \*Mr. Pfluger. [Inaudible.]  
7093           \*The Clerk. Pfluger votes no.  
7094           Harshbarger?  
7095           \*Mrs. Harshbarger. [Inaudible.]  
7096           \*The Clerk. Harshbarger votes no.  
7097           Miller-Meeks?  
7098           \*Mrs. Miller-Meeks. No.  
7099           \*The Clerk. Miller-Meeks votes no.  
7100           Cammack?  
7101           \*Mrs. Cammack. No.  
7102           \*The Clerk. Cammack votes no.  
7103           Oberholte?

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7104 \*Mr. Obernolte. [Inaudible.]  
7105 \*The Clerk. Obernolte votes no.  
7106 Pallone?  
7107 \*Mr. Pallone. Aye.  
7108 \*The Clerk. Pallone votes aye.  
7109 Eshoo?  
7110 \*Ms. Eshoo. Aye.  
7111 \*The Clerk. Eshoo votes aye.  
7112 DeGette?  
7113 \*Ms. DeGette. Aye.  
7114 \*The Clerk. DeGette votes aye.  
7115 Schakowsky?  
7116 \*Ms. Schakowsky. Aye.  
7117 \*The Clerk. Schakowsky votes aye.  
7118 Matsui?  
7119 \*Ms. Matsui. Aye.  
7120 \*The Clerk. Matsui votes aye.  
7121 Castor?  
7122 \*Ms. Castor. [Inaudible.]  
7123 \*The Clerk. Castor votes aye.  
7124 Sarbanes?

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7125           \*Mr. Sarbanes. Aye.  
7126           \*The Clerk. Sarbanes votes aye.  
7127           Tonko?  
7128           \*Mr. Tonko. Aye.  
7129           \*The Clerk. Tonko votes aye.  
7130           Clarke?  
7131           \*Ms. Clarke. Aye.  
7132           \*The Clerk. Clarke votes aye.  
7133           Cardenas?  
7134           \*Mr. Cardenas. [Inaudible.]  
7135           \*The Clerk. Cardenas votes aye.  
7136           Ruiz?  
7137           \*Mr. Ruiz. [Inaudible.]  
7138           \*The Clerk. Ruiz votes aye.  
7139           Peters?  
7140           \*Mr. Peters. [Inaudible.]  
7141           \*The Clerk. Peters votes aye.  
7142           Dingell?  
7143           \*Mrs. Dingell. Aye.  
7144           \*The Clerk. Dingell votes aye.  
7145           Veasey?

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7146 \*Mr. Veasey. Aye.  
7147 \*The Clerk. Veasey votes aye.  
7148 Kuster?  
7149 \*Ms. Kuster. Aye.  
7150 \*The Clerk. Kuster votes aye.  
7151 Kelly?  
7152 \*Ms. Kelly. Aye.  
7153 \*The Clerk. Kelly votes aye.  
7154 Barragan?  
7155 \*Ms. Barragan. Aye.  
7156 \*The Clerk. Barragan votes aye.  
7157 Blunt Rochester?  
7158 \*Ms. Blunt Rochester. Aye.  
7159 \*The Clerk. Blunt Rochester votes aye.  
7160 Soto?  
7161 \*Mr. Soto. Aye.  
7162 \*The Clerk. Soto votes aye.  
7163 Craig?  
7164 \*Ms. Craig. [Inaudible.]  
7165 \*The Clerk. Craig votes aye.  
7166 Schrier?

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7167 [No response.]

7168 \*The Clerk. Trahan?

7169 \*Mrs. Trahan. Aye.

7170 \*The Clerk. Trahan votes aye.

7171 Fletcher?

7172 \*Mrs. Fletcher. Aye.

7173 \*The Clerk. Fletcher votes aye.

7174 \*The Chair. Are there any other members seeking to be  
7175 recorded?

7176 Mr. Guthrie.

7177 \*Mr. Guthrie. I vote no.

7178 \*The Clerk. Guthrie votes no.

7179 [Pause.]

7180 \*The Chair. The clerk will report the vote.

7181 \*The Clerk. Chair Rodgers, on that vote we have 22 ayes  
7182 and 27 noes.

7183 \*The Chair. The noes have it, the amendment is not  
7184 agreed to.

7185 Are there further amendments?

7186 The lady from Florida, Ms. Castor.

7187 \*Ms. Castor. Madam Chair, I have an amendment at the

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7188 desk numbered for FC Amendment 03.

7189 \*The Chair. The clerk will report the amendment.

7190 \*The Clerk. To clarify, you said 03?

7191 \*Ms. Castor. Correct.

7192 \*The Clerk. Amendment to the committee print for H.R.

7193 1115, offered by --

7194 \*The Chair. Without objection, the reading of the

7195 amendment will be dispensed with.

7196 [The amendment of Ms. Castor follows:]

7197

7198 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

7199

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7200           \*The Chair. And the gentlelady is recognized for five  
7201 minutes in support of her amendment.

7202           \*Ms. Castor. Thank you, Madam Chair. Madam Chair, I  
7203 have serious concerns about the underlying legislation. It  
7204 short circuits environmental reviews of gas pipelines and  
7205 again elevates the profits of fossil fuel companies over the  
7206 interests of the public.

7207           I had these concerns, like chair Ranking Member Pallone  
7208 stated, six years ago, when the committee last examined this  
7209 bill. I proposed a similar amendment.

7210           My amendment today would provide that the bill would not  
7211 go into effect until FERC certified that three simple  
7212 criteria are satisfied.

7213           First, is this even necessary? There is nothing in the  
7214 record today that justifies the short circuiting of public  
7215 health and environmental considerations when you are -- when  
7216 FERC is reviewing gas pipelines.

7217           Two, is it duplicative of other Federal efforts in place  
7218 to improve the timeliness and predictability of Federal  
7219 environmental reviews and authorizations for gas pipelines?

7220           I will be honest, Madam Chair. I have deep concerns

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7221 that portions of this bill are duplicative requirements of  
7222 FAS 41 and other permitting efforts. I would have liked to  
7223 have asked the FERC commissioners their opinions on this,  
7224 given the concerns that FERC staff expressed when they  
7225 appeared before this committee years ago, six years ago, but  
7226 we were not given the time to receive detailed public  
7227 technical assistance from FERC on this. So given that, I  
7228 have no choice but to put this -- to offer this kind of  
7229 condition on the effectiveness to ensure that the bill is not  
7230 duplicative.

7231 And three, the third, will it -- will this bill result  
7232 in any wasteful government spending? Given the current  
7233 discussions over the debt ceiling and the budget, this is an  
7234 obvious provision that everyone can agree on.

7235 If FERC can certify these three criteria, then it can go  
7236 into effect as written. If not, then the bill is stayed  
7237 until such time as FERC can certify those conditions.

7238 None of these conditions should be objectionable to  
7239 anyone. I am simply asking that, in your rush today to aid  
7240 oil and gas companies, that you not elevate the oil and gas  
7241 company profits over what is in the best interest of families

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7242 and communities at home. So I urge you to support my  
7243 amendment.

7244 And I yield back the balance of my time.

7245 \*The Chair. The gentlelady yields back. Is there  
7246 further discussion on the amendment?

7247 The gentleman from Texas, Mr. Burgess, is recognized.

7248 \*Mr. Burgess. I thank the chair. Stop me if you have  
7249 heard this before, but this amendment is unnecessary.

7250 And here is the deal. The underlying bill already  
7251 addresses FERC certification of public convenience and  
7252 necessity, and avoids both duplication and wasteful spending.

7253 Affirming FERC as the lead agency for environmental  
7254 reviews ensures that multiple agencies are not competing for  
7255 the same duplicative assessments. Increased coordination in  
7256 the natural gas pipeline permitting process directly avoids  
7257 unnecessary delays. And those delays do what? They increase  
7258 costs.

7259 Tying the effective date of the bill to additional FERC  
7260 certifications only introduces more bureaucratic red tape,  
7261 and would increase spending across the board. Oh my gosh,  
7262 with a \$20 trillion deficit for the next 10 years, do we

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7263 really need that? No, we need a no on this amendment, and a  
7264 yes on the underlying bill.

7265 I yield back.

7266 \*The Chair. The gentleman yields back. Is there  
7267 further discussion on the amendment?

7268 Seeing no discussion, the vote occurs on the Castor  
7269 amendment.

7270 \*Mr. Pallone. You want a roll call?

7271 A roll call.

7272 \*The Chair. A recorded vote has been requested. The  
7273 clerk will call the vote -- the roll.

7274 \*The Clerk. Rodgers?

7275 \*The Chair. No.

7276 \*The Clerk. Rodgers votes no.

7277 Burgess?

7278 \*Mr. Burgess. Votes no.

7279 \*The Clerk. Burgess votes no.

7280 Latta?

7281 \*Mr. Latta. No.

7282 \*The Clerk. Latta votes no.

7283 Guthrie?

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7284 [No response.]  
7285 \*The Clerk. Griffith?  
7286 \*Mr. Griffith. No.  
7287 \*The Clerk. Griffith votes no.  
7288 Bilirakis?  
7289 \*Mr. Bilirakis. [Inaudible.]  
7290 \*The Clerk. Bilirakis votes no.  
7291 Johnson?  
7292 \*Mr. Johnson. No.  
7293 \*The Clerk. Johnson votes no.  
7294 Bucshon?  
7295 \*Mr. Bucshon. No.  
7296 \*The Clerk. Bucshon votes no.  
7297 Hudson?  
7298 [No response.]  
7299 \*The Clerk. Walberg?  
7300 \*Mr. Walberg. No.  
7301 \*The Clerk. Walberg votes no.  
7302 Carter?  
7303 [No response.]  
7304 \*The Clerk. Duncan?

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7305           \*Mr. Duncan. No.  
7306           \*The Clerk. Duncan votes no.  
7307           Palmer?  
7308           \*Mr. Palmer. [Inaudible.]  
7309           \*The Clerk. Palmer votes no.  
7310           Dunn?  
7311           \*Mr. Dunn. No.  
7312           \*The Clerk. Dunn votes no.  
7313           Curtis?  
7314           \*Mr. Curtis. [Inaudible.]  
7315           \*The Clerk. Curtis votes no.  
7316           Lesko?  
7317           \*Mrs. Lesko. No.  
7318           \*The Clerk. Lesko votes no.  
7319           Pence?  
7320           \*Mr. Pence. No.  
7321           \*The Clerk. Pence votes no.  
7322           Crenshaw?  
7323           \*Mr. Crenshaw. No.  
7324           \*The Clerk. Crenshaw votes no.  
7325           Joyce?

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7326 \*Mr. Joyce. No.  
7327 \*The Clerk. Joyce votes no.  
7328 Armstrong?  
7329 \*Mr. Armstrong. No.  
7330 \*The Clerk. Armstrong votes no.  
7331 Weber?  
7332 [No response.]  
7333 \*The Clerk. Allen?  
7334 \*Mr. Allen. No.  
7335 \*The Clerk. Allen --  
7336 \*Mr. Weber. Vote no.  
7337 \*The Clerk. Weber votes no.  
7338 Allen?  
7339 \*Mr. Allen. No.  
7340 \*The Clerk. Allen votes no.  
7341 Balderson?  
7342 \*Mr. Balderson. No.  
7343 \*The Clerk. Balderson votes no.  
7344 Fulcher?  
7345 \*Mr. Fulcher. Fulcher, no.  
7346 \*The Clerk. Fulcher votes no.

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7347 Pfluger?  
7348 \*Mr. Pfluger. No.  
7349 \*The Clerk. Pfluger votes no.  
7350 Harshbarger?  
7351 \*Mrs. Harshbarger. [Inaudible.]  
7352 \*The Clerk. Harshbarger votes no.  
7353 Miller-Meeks?  
7354 \*Mrs. Miller-Meeks. No.  
7355 \*The Clerk. Miller-Meeks votes no.  
7356 Cammack?  
7357 \*Mrs. Cammack. [Inaudible.]  
7358 \*The Clerk. Cammack votes no.  
7359 Obernolte?  
7360 \*Mr. Obernolte. No.  
7361 \*The Clerk. Obernolte votes no.  
7362 Pallone?  
7363 [No response.]  
7364 \*The Clerk. Pallone?  
7365 \*Mr. Pallone. [Inaudible.]  
7366 \*The Clerk. Pallone votes aye.  
7367 Eshoo?

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7368 \*Ms. Eshoo. Aye.  
7369 \*The Clerk. Eshoo votes aye.  
7370 DeGette?  
7371 \*Ms. DeGette. Aye.  
7372 \*The Clerk. DeGette votes aye.  
7373 Schakowsky?  
7374 \*Ms. Schakowsky. Aye.  
7375 \*The Clerk. Schakowsky votes aye.  
7376 Matsui?  
7377 \*Ms. Matsui. Aye.  
7378 \*The Clerk. Matsui votes aye.  
7379 Castor?  
7380 \*Ms. Castor. [Inaudible.]  
7381 \*The Clerk. Castor votes aye.  
7382 Sarbanes?  
7383 \*Mr. Sarbanes. Aye.  
7384 \*The Clerk. Sarbanes votes aye.  
7385 Tonko?  
7386 \*Mr. Tonko. Aye.  
7387 \*The Clerk. Tonko votes aye.  
7388 Clarke?

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7389           \*Ms. Clarke. Aye.  
7390           \*The Clerk. Clarke votes aye.  
7391           Cardenas?  
7392           \*Mr. Cardenas. Aye.  
7393           \*The Clerk. Cardenas votes aye.  
7394           Ruiz?  
7395           \*Mr. Ruiz. [Inaudible.]  
7396           \*The Clerk. Ruiz votes aye.  
7397           Peters?  
7398           \*Mr. Peters. [Inaudible.]  
7399           \*The Clerk. Peters votes aye.  
7400           Dingell?  
7401           \*Mrs. Dingell. [Inaudible.]  
7402           \*The Clerk. Dingell votes aye.  
7403           Veasey?  
7404           \*Mr. Veasey. Aye.  
7405           \*The Clerk. Veasey votes aye.  
7406           Kuster?  
7407           \*Ms. Kuster. Aye.  
7408           \*The Clerk. Kuster votes aye.  
7409           Kelly?

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7410           \*Ms. Kelly. Aye.  
7411           \*The Clerk. Kelly votes aye.  
7412           Barragan?  
7413           \*Ms. Barragan. Aye.  
7414           \*The Clerk. Barragan votes aye.  
7415           Blunt Rochester?  
7416           \*Ms. Blunt Rochester. Aye.  
7417           \*The Clerk. Blunt Rochester votes aye.  
7418           Soto?  
7419           \*Mr. Soto. Aye.  
7420           \*The Clerk. Soto votes aye.  
7421           Craig?  
7422           \*Ms. Craig. Aye.  
7423           \*The Clerk. Craig votes aye.  
7424           Schrier?  
7425           [No response.]  
7426           \*The Clerk. Trahan?  
7427           \*Mrs. Trahan. Aye.  
7428           \*The Clerk. Trahan votes aye.  
7429           Fletcher?  
7430           \*Mrs. Fletcher. Aye.

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7431           \*The Clerk. Fletcher votes aye.  
7432           \*The Chair. [Inaudible.]  
7433           \*Mr. Guthrie. Guthrie votes no.  
7434           \*The Chair. Oh, Mr. Guthrie. Okay, yes.  
7435           \*The Clerk. Mr. Guthrie votes no.  
7436           \*The Chair. I thought you were pointing to someone.  
7437           [Pause.]  
7438           \*The Chair. The clerk will report.  
7439           \*The Clerk. Chair Rodgers, on that vote we have 22 --  
7440           \*The Chair. Oh, okay, one more.  
7441           \*The Clerk. Mr. Carter? How would Mr. Carter like to  
7442 be recorded?  
7443           \*Mr. Carter. No.  
7444           \*The Clerk. Mr. Carter votes no.  
7445           Chair Rodgers, on that vote we have 22 ayes and 28 noes.  
7446           \*The Chair. The amendment is not adopted. The noes  
7447 have it.  
7448           Are there further amendments?  
7449           Seeing no further amendments, the vote occurs on --  
7450 let's see here, the vote occurs on approving H.R. 1115, as  
7451 amended. A roll call vote has been requested. The clerk

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7452 will call the roll.  
7453 \*The Clerk. Rodgers?  
7454 \*The Chair. Aye.  
7455 \*The Clerk. Rodgers votes aye.  
7456 Burgess?  
7457 \*Mr. Burgess. Votes aye.  
7458 \*The Clerk. Burgess votes aye.  
7459 Latta?  
7460 \*Mr. Latta. Aye.  
7461 \*The Clerk. Latta votes aye.  
7462 Guthrie?  
7463 \*Mr. Guthrie. Aye.  
7464 \*The Clerk. Guthrie votes aye.  
7465 Griffith?  
7466 \*Mr. Griffith. Aye.  
7467 \*The Clerk. Griffith votes aye.  
7468 Bilirakis?  
7469 \*Mr. Bilirakis. Aye.  
7470 \*The Clerk. Bilirakis votes aye.  
7471 Johnson?  
7472 \*Mr. Johnson. Aye.

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7473           \*The Clerk. Johnson votes aye.  
7474           Bucshon?  
7475           \*Mr. Bucshon. Aye.  
7476           \*The Clerk. Bucshon votes aye.  
7477           Hudson?  
7478           [No response.]  
7479           \*The Clerk. Walberg?  
7480           \*Mr. Walberg. Aye.  
7481           \*The Clerk. Walberg votes aye.  
7482           Carter?  
7483           \*Mr. Carter. Aye.  
7484           \*The Clerk. Carter votes aye.  
7485           Duncan?  
7486           \*Mr. Duncan. Aye.  
7487           \*The Clerk. Duncan votes aye.  
7488           Palmer?  
7489           \*Mr. Palmer. Aye.  
7490           \*The Clerk. Palmer votes aye.  
7491           Dunn?  
7492           \*Mr. Dunn. Aye.  
7493           \*The Clerk. Dunn votes aye.

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7494 Curtis?  
7495 \*Mr. Curtis. Aye.  
7496 \*The Clerk. Curtis votes aye.  
7497 Lesko?  
7498 \*Mrs. Lesko. Aye.  
7499 \*The Clerk. Lesko votes aye.  
7500 Pence?  
7501 \*Mr. Pence. Aye.  
7502 \*The Clerk. Pence votes aye.  
7503 Crenshaw?  
7504 \*Mr. Crenshaw. Aye.  
7505 \*The Clerk. Crenshaw votes aye.  
7506 Joyce?  
7507 \*Mr. Joyce. [Inaudible.]  
7508 \*The Clerk. Joyce votes aye.  
7509 Armstrong?  
7510 \*Mr. Armstrong. Yes.  
7511 \*The Clerk. Armstrong votes aye.  
7512 Weber?  
7513 \*Mr. Weber. Aye.  
7514 \*The Clerk. Weber votes aye.

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7515 Allen?  
7516 \*Mr. Allen. Aye.  
7517 \*The Clerk. Allen votes aye.  
7518 Balderson?  
7519 \*Mr. Balderson. [Inaudible.]  
7520 \*The Clerk. Balderson votes aye.  
7521 Fulcher?  
7522 \*Mr. Fulcher. [Inaudible.]  
7523 \*The Clerk. Fulcher votes no.  
7524 Pfluger?  
7525 \*Mr. Pfluger. [Inaudible.]  
7526 \*The Clerk. Pfluger votes no.  
7527 Harshbarger?  
7528 \*Mr. Pfluger. [Inaudible.]  
7529 \*The Clerk. Mr. Pfluger is off no, on aye.  
7530 Harshbarger?  
7531 \*Mrs. Harshbarger. [Inaudible.]  
7532 \*The Clerk. Harshbarger votes aye.  
7533 Miller-Meeks?  
7534 \*Mrs. Miller-Meeks. Yes.  
7535 \*The Clerk. Miller-Meeks votes aye.

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7536 Cammack?  
7537 \*Mrs. Cammack. Aye.  
7538 \*The Clerk. Cammack votes aye.  
7539 Obernolte?  
7540 \*Mr. Obernolte. Aye.  
7541 \*The Clerk. Obernolte votes aye.  
7542 Pallone?  
7543 \*Mr. Pallone. No.  
7544 \*The Clerk. Pallone votes no.  
7545 Eshoo?  
7546 \*Ms. Eshoo. No.  
7547 \*The Clerk. Eshoo votes no.  
7548 DeGette?  
7549 \*Ms. DeGette. No.  
7550 \*The Clerk. DeGette votes no.  
7551 Schakowsky?  
7552 \*Ms. Schakowsky. No.  
7553 \*The Clerk. Schakowsky votes no.  
7554 Matsui?  
7555 \*Ms. Matsui. No.  
7556 \*The Clerk. Matsui votes no.

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7557 Castor?  
7558 \*Ms. Castor. [Inaudible.]  
7559 \*The Clerk. Castor votes no.  
7560 Sarbanes?  
7561 \*Mr. Sarbanes. No.  
7562 \*The Clerk. Sarbanes votes no.  
7563 Tonko?  
7564 \*Mr. Tonko. No.  
7565 \*The Clerk. Tonko votes no.  
7566 Clarke?  
7567 \*Ms. Clarke. No.  
7568 \*The Clerk. Clarke votes no.  
7569 Cardenas?  
7570 \*Mr. Cardenas. No.  
7571 \*The Clerk. Cardenas votes no.  
7572 Ruiz?  
7573 \*Mr. Ruiz. [Inaudible.]  
7574 \*The Clerk. Ruiz votes no.  
7575 Peters?  
7576 \*Mr. Peters. [Inaudible.]  
7577 \*The Clerk. Peters votes no.

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7578 Dingell?  
7579 \*Mrs. Dingell. [Inaudible.]  
7580 \*The Clerk. Dingell votes no.  
7581 Veasey?  
7582 \*Mr. Veasey. No.  
7583 \*The Clerk. Veasey votes no.  
7584 Kuster?  
7585 \*Ms. Kuster. No.  
7586 \*The Clerk. Kuster votes no.  
7587 Kelly?  
7588 \*Ms. Kelly. [Inaudible.]  
7589 \*The Clerk. Kelly votes no.  
7590 Barragan?  
7591 \*Ms. Barragan. No.  
7592 \*The Clerk. Barragan votes no.  
7593 Blunt Rochester?  
7594 \*Ms. Blunt Rochester. No.  
7595 \*The Clerk. Blunt Rochester votes no.  
7596 Soto?  
7597 \*Mr. Soto. No.  
7598 \*The Clerk. Soto votes no.

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7599 Craig?

7600 \*Ms. Craig. No.

7601 \*The Clerk. Craig votes no.

7602 Schrier?

7603 [No response.]

7604 \*The Clerk. Trahan?

7605 \*Mrs. Trahan. [Inaudible.]

7606 \*The Clerk. Trahan votes no.

7607 Fletcher?

7608 \*Mrs. Fletcher. No.

7609 \*The Clerk. Fletcher votes no.

7610 \*The Chair. Are there any members seeking to be  
7611 recorded?

7612 [Pause.]

7613 \*The Chair. The clerk will report.

7614 \*The Clerk. Chair Rodgers, on that vote we have 27 ayes  
7615 and 23 noes.

7616 \*The Chair. The ayes have it, and the bill is adopted.

7617 The chair calls up H.R. 1070, and asks the clerk to  
7618 report.

7619 \*The Clerk. Committee print of H.R. 1070, as forwarded

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7620 by the Subcommittee on Environment --

7621 \*The Chair. Without objection, the first reading of the  
7622 bill is dispensed with, and the bill will be open for  
7623 amendment at any point.

7624 So ordered.

7625 [The bill follows:]

7626

7627 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

7628

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7629           \*The Chair. Does anyone seek to be recognized on the  
7630 bill?

7631           For what purpose does the gentleman seek recognition?

7632           \*Mr. Carter. I ask to strike the last word, and speak  
7633 in favor of the bill.

7634           \*The Chair. Mr. Carter is recognized for five minutes  
7635 to strike the last word.

7636           \*Mr. Carter. Madam Chair, I would like to speak in  
7637 favor of H.R. 1070. I think it is all too appropriate that  
7638 this bill came up in the very first markup of the renamed  
7639 Environment, Manufacturing, and Critical Minerals  
7640 Subcommittee last week. The name change reflects our very  
7641 real shared desire and need to bring more manufacturing and  
7642 critical mineral supply chains to the United States.

7643           Again, they aren't called critical minerals for nothing.  
7644 They are the minerals that fuel our modern advanced economy  
7645 and high standard of living. They are in each one of our  
7646 pockets with our own cell phones. They are in solar panels  
7647 and wind energy. I am a medical professional by training,  
7648 and they are needed in everything from technologies for  
7649 surgery to Xrays to fighting the common cold.

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7650           We need to look at ourselves and acknowledge that we  
7651 don't have enough in the United States to ensure we have  
7652 enough of these essential materials to supply our country. I  
7653 don't care who you are. My colleagues across the aisle may  
7654 point to all the money they have borrowed from our children  
7655 as examples of investments we will make. But those  
7656 investments will be wasted if it takes years and billions  
7657 more dollars than they intended because of excessive  
7658 regulations and permitting requirements. That is why we need  
7659 this bill. Today it can take anywhere, anywhere from 7 to  
7660 over 20 years -- 7 to 20 years -- to bring a new mineral to  
7661 market with millions, if not billions of dollars required.  
7662 No wonder companies' investors have looked elsewhere to do  
7663 this work.

7664           I said it last week, but I will say it again: No wonder  
7665 China supplies us with the vast majority of these critical  
7666 minerals. They don't just dig it out of the ground. They  
7667 are also, by far, the world's biggest refiner of these  
7668 minerals. We are behind in this race, and it is not even  
7669 close. The time to act is now.

7670           My bill would take a step in the right direction to

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7671 demonstrate that the U.S. is back in the business of  
7672 processing critical minerals. My bill would simply allow for  
7673 facilities dealing with critical energy resources like these  
7674 minerals to receive an interim status permit for handling,  
7675 storing, or treating on-site hazardous waste. This will  
7676 allow projects to continue, be constructed, and have the  
7677 certainty that operations will be able to occur, instead of  
7678 being held hostage by the EPA or other authority waiting for  
7679 their paperwork to get approved.

7680 I am not advocating or even saying we should blindly let  
7681 these processing -- let those processing these minerals  
7682 haphazardly handle hazardous material and waste. I am saying  
7683 that I trust our system and its numerous existing protections  
7684 that have made us the cleanest energy producer in the world.  
7685 I want to repeat that: I am saying that I trust our system  
7686 and its numerous existing protections that have made us the  
7687 cleanest energy producer in the world.

7688 In fact, under existing EPA regulations, interim permit  
7689 holders must comply with notification, waste treatment,  
7690 storage, and disposal requirements, as well as specific  
7691 hazardous waste and waste facility standards. Mines and

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7692 other facilities are already subject to over dozens of  
7693 Federal and state laws. This bill is just one part of a much  
7694 larger effort to fix permitting in our country, and extend  
7695 the official invitation to those who seek to come build in  
7696 America again.

7697 I urge support for this bill, and I yield back.

7698 \*The Chair. The gentleman yields back. Is there  
7699 further discussion?

7700 \*Mr. Allen. Madam Chair?

7701 \*The Chair. The gentleman from -- do you have anybody?

7702 \*Mr. Pallone. Not on the amendment.

7703 \*The Chair. Not yet? Okay. The gentleman from  
7704 Georgia, for what purpose do you seek recognition?

7705 \*Mr. Allen. I move to strike the last word to speak in  
7706 favor of this legislation.

7707 \*The Chair. Mr. Allen is recognized for five minutes.

7708 \*Mr. Allen. I was happy last week to support advancing  
7709 this legislation during our Environmental, Manufacturing, and  
7710 Critical Materials Subcommittee markup, and I am happy to  
7711 support it today.

7712 We have set permitting reform as critical towards

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7713 reshoring manufacturing in America and strengthening our  
7714 domestic supply chains. The U.S. has an abundant supply of  
7715 critical minerals. And to ensure we can extract, process,  
7716 and refine them here in the U.S., we must address permitting  
7717 shortfalls.

7718 It is alarming that China is a world leader in  
7719 extracting and processing critical materials. Not only that,  
7720 but we don't even register globally when it comes to  
7721 processing those materials in the United States.

7722 Mr. Carter's bill, my colleague from Georgia, H.R. 1070,  
7723 takes a step forward in assuring investors that putting their  
7724 money into new American manufacturing is not a lost cause.

7725 Under the Resource Conservation and Recovery Act, a  
7726 mineral processing facility that generates Resource  
7727 Conservation and Recovery Act-regulated waste needs a permit  
7728 if it does one of three things on site: it stores the waste  
7729 for 90 days, treats the waste, or disposes of the waste.  
7730 This permit must be applied for 180 days before physical  
7731 construction of the facility can begin, and no facility can  
7732 operate without a permit.

7733 I understand the Resource Conversation and --

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7734 Conservation and Recovery Act permitting process can take  
7735 years to be finalized, as my colleague addressed. Under the  
7736 Carter bill, a facility that processes or refines critical  
7737 energy resources can apply for and automatically be given an  
7738 interim permit, helping provide some level of assurance to an  
7739 investment.

7740           And I want to be clear. This bill does not -- is not a  
7741 blank check to evade environmental and safety safeguards.  
7742 The permit establishes the site-specific administrative and  
7743 technical standards that the facility must meet. The interim  
7744 permit cannot be given to anyone who has been denied a  
7745 permit, or if authority to operate the facility was  
7746 terminated under the Resource Conservation and Recovery Act.

7747           Moreover, EPA or a state-delegated Resource Conservation  
7748 and Recovery Act Hazardous Waste Program can call at any time  
7749 for a facilities permit in review, review it to see if it  
7750 qualifies for a longer-term permit.

7751           My colleague's bill will jumpstart construction and  
7752 domestic investment, is limited to facilities that process or  
7753 refine critical energy resources, helps rebuild our supply  
7754 chains, and doesn't short circuit environmental protection.

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7755 I urge support of this bill.

7756 And with that, I yield back.

7757 \*The Chair. The gentleman yields back. Is there  
7758 further discussion on the bill?

7759 Are there any bipartisan amendments to the bill?

7760 \*Mr. Tonko. Madam -- oh.

7761 \*The Chair. Are there any amendments to the bill?

7762 \*Mr. Tonko. Madam Chair, I have an amendment at the  
7763 desk labeled FCD01, I believe.

7764 \*The Chair. The clerk will report the amendment.

7765 \*The Clerk. FCD01?

7766 \*Mr. Tonko. Yes.

7767 \*The Chair. Tonko.

7768 \*The Clerk. Amendment to the committee print for H.R.  
7769 1070, offered by Mr. Tonko. Page 1, line 15 --

7770 \*The Chair. Without objection, the reading of the  
7771 amendment is dispensed with.

7772 [The amendment of Mr. Tonko follows:]

7773

7774 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

7775

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7776           \*The Chair. Mr. Tonko is recognized for five minutes  
7777 in --

7778           \*Mr. Tonko. Thank you, Madam Chair.

7779           \*The Chair. -- support of his amendment.

7780           \*Mr. Tonko. H.R. 1070 would amend the Solid Waste  
7781 Disposal Act, which regulates the storage, the treatment, and  
7782 disposal of hazardous wastes to allow -- and I quote --  
7783 "critical energy resource facilities'" to operate without  
7784 appropriate permits.

7785           Broadly, this bill would do nothing to ensure reliable,  
7786 secure, and affordable energy for our constituents, as my  
7787 Republican colleagues claim. But I do fear it would take  
7788 away critical safeguards that protect our communities and the  
7789 environment from mismanagement of hazardous wastes.

7790           I would like to remind my colleagues that hazardous  
7791 wastes are labeled to be hazardous for a reason. They are  
7792 dangerous, and need to be handled carefully, with strict  
7793 oversight and regulations in place.

7794           At the subcommittee markup I raised my concerns about  
7795 the vague language in this bill, specifically the definition  
7796 of "critical energy resource,'" which would allow the

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7797 Secretary of Energy to determine that essentially anything  
7798 they want fits under the definition. When it comes to  
7799 hazardous waste, I do not agree with this approach. These  
7800 are dangerous materials, and we need to be clear and explicit  
7801 about what we are including in definitions of resources that  
7802 open the door for blanket exemptions from bedrock  
7803 environmental laws.

7804 At the subcommittee markup I specifically raised the  
7805 potential issue around mixed radiological wastes. Mixed  
7806 radiological wastes are hazardous wastes that also contain  
7807 radioactive materials. If mismanaged, they pose significant  
7808 threats to the workers handling them, the communities living  
7809 nearby, and indeed, the environment. These are not the  
7810 wastes that we want facilities to be storing, treating, or  
7811 disposing of without strict regulations and accountability.

7812 Unfortunately, due to the overly broad definition -- and  
7813 I quote -- "critical energy resource" in this bill, the  
7814 Secretary of Energy could decide that these hazardous wastes  
7815 are covered by this vague definition, and exempt processing  
7816 facilities from needing to obtain common-sense operating  
7817 permits. My amendment would make it clear that the

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7818 definition of "critical energy resource" does not include  
7819 mixed radiological wastes. This would ensure that mixed  
7820 radiological wastes continue to be handled with the  
7821 appropriate level of stringent standards to protect everyone  
7822 involved.

7823 I do hope my Republican colleagues can agree that mixed  
7824 radiological wastes should not be labeled as "critical," and  
7825 should continue to require basic permits for storage,  
7826 treatment, and disposal.

7827 With that, I urge my colleagues to support this  
7828 amendment and thank you, Madam Chair. I yield back.

7829 \*The Chair. The gentleman yields back. Is there  
7830 further discussion on the amendment?

7831 The gentleman from Georgia, Mr. Carter, is recognized  
7832 for five minutes.

7833 \*Mr. Carter. Thank you, Madam Chair, and I seek time to  
7834 speak in opposition to this amendment.

7835 This amendment prevents facilities processing mixed  
7836 radiological waste from qualifying for the RCRA interim  
7837 permit status when part of a critical energy resource  
7838 facility.

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7839           This amendment is -- that is being offered here is  
7840 nothing more than another effort to obfuscate permit reform.  
7841 It would prevent facilities necessary to refine or process  
7842 energy resources essential for the energy sector or systems  
7843 in the United States and the supply chain of which is  
7844 vulnerable to disruption to keep the lights on and the heat  
7845 or air conditioning running. The government determines that  
7846 this kind of activity is needed, but this amendment prevents  
7847 interim permits so that facilities can start construction.

7848           Receiving an interim permit still makes you subject to  
7849 requirements under the RCRA, and the state or EPA can call up  
7850 that permit at any time. Any time. That does not change.

7851           I appreciate the concern, but I urge a no vote on this  
7852 amendment, and I yield back.

7853           \*The Chair. The gentleman yields back. Is there  
7854 further discussion on the amendment?

7855           \*Mr. Pallone. Do you want a roll call on this?

7856           I guess we want a roll call.

7857           \*The Chair. Seeing no further discussion, the vote will  
7858 occur on Mr. Tonko's amendment. A roll call vote has been  
7859 requested. The clerk will call the roll.

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7860           \*The Clerk.  Rodgers?  
7861           \*The Chair.  No.  
7862           \*The Clerk.  Rodgers votes no.  
7863           Burgess?  
7864           [No response.]  
7865           \*The Clerk.  Latta?  
7866           \*Mr. Latta.  No.  
7867           \*The Clerk.  Latta votes no.  
7868           Guthrie?  
7869           [No response.]  
7870           \*The Clerk.  Griffith?  
7871           \*Mr. Griffith.  No.  
7872           \*The Clerk.  Griffith votes no.  
7873           Bilirakis?  
7874           \*Mr. Bilirakis.  [Inaudible.]  
7875           \*The Clerk.  Bilirakis votes no.  
7876           Johnson?  
7877           \*Mr. Johnson.  No.  
7878           \*The Clerk.  Johnson votes no.  
7879           Bucshon?  
7880           \*Mr. Bucshon.  No.

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7881           \*The Clerk.   Bucshon votes no.  
7882           Hudson?  
7883           [No response.]  
7884           \*The Clerk.   Walberg?  
7885           \*Mr. Walberg.  No.  
7886           \*The Clerk.   Walberg votes no.  
7887           Carter?  
7888           \*Mr. Carter.  No.  
7889           \*The Clerk.   Carter votes no.  
7890           Duncan?  
7891           \*Mr. Duncan.  No.  
7892           \*The Clerk.   Duncan votes no.  
7893           Palmer?  
7894           [No response.]  
7895           \*The Clerk.   Dunn?  
7896           \*Mr. Dunn.   No.  
7897           \*The Clerk.   Dunn votes no.  
7898           Curtis?  
7899           [No response.]  
7900           \*The Clerk.   Lesko?  
7901           \*Mrs. Lesko.  No.

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7902           \*The Clerk. Lesko votes no.  
7903           Pence?  
7904           [No response.]  
7905           \*The Clerk. Crenshaw?  
7906           \*Mr. Crenshaw. No.  
7907           \*The Clerk. Crenshaw votes no.  
7908           Joyce?  
7909           \*Mr. Joyce. No.  
7910           \*The Clerk. Joyce votes no.  
7911           Armstrong?  
7912           \*Mr. Armstrong. No.  
7913           \*The Clerk. Armstrong votes no.  
7914           Weber?  
7915           \*Mr. Weber. No.  
7916           \*The Clerk. Weber votes no.  
7917           Allen?  
7918           \*Mr. Allen. [Inaudible.]  
7919           \*The Clerk. Allen votes no.  
7920           Balderson?  
7921           \*Mr. Balderson. [Inaudible.]  
7922           \*The Clerk. Balderson votes no.

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7923 Fulcher?  
7924 \*Mr. Fulcher. [Inaudible.]  
7925 \*The Clerk. Fulcher votes no.  
7926 Pfluger?  
7927 \*Mr. Pfluger. No.  
7928 \*The Clerk. Pfluger votes no.  
7929 Harshbarger?  
7930 \*Mrs. Harshbarger. [Inaudible.]  
7931 \*The Clerk. Harshbarger votes no.  
7932 Miller-Meeks?  
7933 \*Mrs. Miller-Meeks. [Inaudible.]  
7934 \*The Clerk. Miller-Meeks votes no.  
7935 Cammack?  
7936 \*Mrs. Cammack. No.  
7937 \*The Clerk. Cammack votes no.  
7938 Obernolte?  
7939 \*Mr. Obernolte. No.  
7940 \*The Clerk. Obernolte votes no.  
7941 Pallone?  
7942 \*Mr. Pallone. Yes.  
7943 \*The Clerk. Pallone votes aye.

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7944 Eshoo?  
7945 \*Ms. Eshoo. Aye.  
7946 \*The Clerk. Eshoo votes aye.  
7947 DeGette?  
7948 \*Ms. DeGette. Aye.  
7949 \*The Clerk. DeGette votes aye.  
7950 Schakowsky?  
7951 \*Ms. Schakowsky. [Inaudible.]  
7952 \*The Clerk. Schakowsky votes aye.  
7953 Matsui?  
7954 \*Ms. Matsui. Aye.  
7955 \*The Clerk. Matsui votes aye.  
7956 Castor?  
7957 \*Ms. Castor. [Inaudible.]  
7958 \*The Clerk. Castor votes aye.  
7959 Sarbanes?  
7960 \*Mr. Sarbanes. Aye.  
7961 \*The Clerk. Sarbanes votes aye.  
7962 Tonko?  
7963 \*Mr. Tonko. Aye.  
7964 \*The Clerk. Tonko votes aye.

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7965 Clarke?  
7966 \*Ms. Clarke. Aye.  
7967 \*The Clerk. Clarke votes aye.  
7968 Cardenas?  
7969 \*Mr. Cardenas. Aye.  
7970 \*The Clerk. Cardenas votes aye.  
7971 Ruiz?  
7972 \*Mr. Ruiz. Aye.  
7973 \*The Clerk. Ruiz votes aye.  
7974 Peters?  
7975 [No response.]  
7976  
7977 \*The Clerk. Dingell?  
7978 \*Mrs. Dingell. Aye.  
7979 \*The Clerk. Dingell votes aye.  
7980 Veasey?  
7981 \*Mr. Veasey. Aye.  
7982 \*The Clerk. Veasey votes aye.  
7983 Kuster?  
7984 [No response.]  
7985 \*The Clerk. Kelly?

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7986           \*Ms. Kelly.   Aye.  
7987           \*The Clerk.   Kelly votes aye.  
7988           Barragan?  
7989           [No response.]  
7990           \*The Clerk.   Blunt Rochester?  
7991           \*Ms. Blunt Rochester.   Aye.  
7992           \*The Clerk.   Blunt Rochester votes aye.  
7993           Soto?  
7994           \*Mr. Soto.    Aye.  
7995           \*The Clerk.   Soto votes aye.  
7996           Craig?  
7997           \*Ms. Craig.   Aye.  
7998           \*The Clerk.   Craig votes aye.  
7999           Schrier?  
8000           [No response.]  
8001           \*The Clerk.   Trahan?  
8002           \*Mrs. Trahan.   Aye.  
8003           \*The Clerk.   Trahan votes aye.  
8004           Fletcher?  
8005           \*Mrs. Fletcher.   Aye.  
8006           \*The Clerk.   Fletcher votes aye.

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8007           \*The Chair. Are there any members who would like to be  
8008 recorded?

8009           \*Mr. Guthrie. Madam Chair, how am I recorded?

8010           \*The Clerk. Mr. Guthrie is not recorded.

8011           \*Mr. Guthrie. I vote no.

8012           \*The Clerk. Guthrie votes no.

8013           \*Mr. Pence. Madam Chair, am I recorded?

8014           \*The Clerk. Mr. Pence is not recorded.

8015           \*Mr. Pence. No.

8016           \*The Clerk. Pence votes no.

8017           \*Mr. Curtis. Mr. Curtis?

8018           \*The Clerk. Mr. Curtis is not recorded.

8019           \*Mr. Curtis. No.

8020           \*The Clerk. Curtis votes no.

8021           \*Mr. Palmer. Mr. Palmer?

8022           \*The Clerk. Mr. Palmer is not recorded.

8023           \*Mr. Palmer. No.

8024           \*The Clerk. Palmer votes no.

8025           [Pause.]

8026           \*The Clerk. Chair Rodgers, on that vote we have 19 ayes  
8027 and 27 noes.

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8028           \*The Chair. The noes have it, the amendment is not  
8029 agreed to.

8030           Are there further amendments?

8031           Ranking Member.

8032           \*Mr. Pallone. Thank you, Madam Chair. I have an  
8033 amendment at the desk labeled FCD\_09.

8034           \*The Chair. The clerk will report the amendment.

8035           \*The Clerk. Amendment to the committee print for H.R.  
8036 1070, offered by Mr. Pallone --

8037           \*The Chair. Without objection, the reading of the  
8038 amendment is dispensed with.

8039           [The amendment of Mr. Pallone follows:]

8040

8041           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

8042

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8043           \*The Chair. The ranking member is recognized for five  
8044 minutes in support of his amendment.

8045           \*Mr. Pallone. Thank you.

8046           We have already heard about the dangerous potential  
8047 impacts of H.R. 1070. This bill would allow any vaguely  
8048 defined critical energy resource facility to treat, store,  
8049 and dispose of hazardous waste without having to obtain a  
8050 permit under the Resources Conservation and Recovery Act, or  
8051 RCRA.

8052           At the Environment Subcommittee markup, Democratic  
8053 members highlighted the sweeping pitfalls of this proposal,  
8054 and explained that granting the Secretary of Energy enormous  
8055 latitude to label any resource critical to exempt it from  
8056 bedrock environmental laws puts our communities and the  
8057 environment at great risk.

8058           As drafted, this bill is entirely unclear what does and,  
8059 more importantly, what does not fall under the definition of  
8060 critical energy resource. My amendment would clarify some of  
8061 the uncertainty stemming from the bill's imprecise drafting.

8062           My amendment would simply exclude waste derived from  
8063 explosives manufacturing from the definition of critical

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8064 energy resources, making it ineligible for the bill's  
8065 exemptions from hazardous waste permit requirements. For  
8066 context, the category of explosives manufacturing waste  
8067 includes, first, wastewater treatment sludges from the  
8068 manufacturing and processing of explosives; second, spent  
8069 carbon from the treatment of wastewater containing  
8070 explosives; three, wastewater treatment sludges from the  
8071 manufacturing formulation and loading of lead-based  
8072 initiating compounds; and four, pink and red water from TNT  
8073 operations.

8074         The EPA uses two hazard codes to identify these wastes:  
8075 R, which stands for reactive; and T, which stands for toxic.  
8076 As their hazard codes indicate, these wastes pose serious  
8077 dangers to the communities near the facilities that manage  
8078 them and the surrounding environment. It is imperative that  
8079 these facilities operate under common-sense permits to  
8080 protect the health and safety of those around them.

8081         As drafted, this bill would give facilities, even those  
8082 with a history of violating RCRA permits, free rein to  
8083 mismanage our hazardous waste, freely pollute the  
8084 environment, and endanger the communities nearby. So I can

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8085 confidently say that my constituents do not want waste that  
8086 is toxic and reactive to be mismanaged and exempt from  
8087 appropriate oversight, and I would think that the  
8088 constituents my Republican colleagues represent would agree  
8089 with me.

8090 I struggle to understand a situation in which any of  
8091 these wastes should be treated, stored, or disposed of  
8092 without a permit. I am entirely supportive of working on  
8093 policies that lower energy costs, secure energy supply  
8094 chains, and strengthen our national security. However,  
8095 exempting dangerous hazardous materials like waste from  
8096 explosive manufacturing from basic, common-sense operating  
8097 permits is not the correct approach.

8098 I urge all of my colleagues to work with me on policies  
8099 that will actually help our constituents, not just provide  
8100 massive loopholes for polluting industries.

8101 And with that, I would urge a yes vote on my amendment,  
8102 and I yield back, Madam Chair.

8103 \*Mr. Johnson. [Presiding] It is Mr. Chair, but that is  
8104 okay.

8105 \*Mr. Pallone. Oh, I am sorry.

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8106           \*Mr. Johnson. That is --

8107           \*Mr. Pallone. I didn't realize, Mr. Johnson, that you  
8108 were --

8109           \*Mr. Johnson. That is okay. Do any other members wish  
8110 to speak on the amendment?

8111           The gentleman from Georgia, Mr. Carter, is recognized.

8112           \*Mr. Carter. Mr. Chairman, I seek time to speak in  
8113 opposition to this amendment.

8114           This amendment once again prevents facilities that are  
8115 processing waste from explosives or the other materials that  
8116 the gentleman referred to from qualifying for the interim  
8117 permit status when part of a critical energy resource  
8118 facility. This is nothing more than the other side of the  
8119 aisle again trying to block permit reform. That is all it  
8120 is. This is not going to happen.

8121           Again, receiving an interim permit still makes you  
8122 subject to requirements under the RCRA in the state, or EPA  
8123 can call up that permit at any time. That does not change.

8124           I appreciate the concern, but I urge a no vote. This is  
8125 nothing more, again, than trying to stop and trying to block  
8126 permit reform. We are talking about the opportunity here --

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8127 what the other side of the aisle is trying to do here is to  
8128 stop what we need to be doing in the way of wind and solar  
8129 energy. We need these critical minerals, and we can do this,  
8130 but the permitting is killing us. We are having to wait  
8131 anywhere from one to seven years. This would allow us to be  
8132 able to continue on, still making sure that we are following  
8133 the permits as they should be. There is no danger whatsoever  
8134 here.

8135 So I would urge a no vote on this amendment, and I yield  
8136 back.

8137 \*Mr. Johnson. The gentleman yields back. Are there  
8138 other members wishing to speak on the amendment?

8139 \*Mr. Pallone. I would ask for a recorded vote.

8140 \*Mr. Johnson. Seeing none, the vote occurs on the  
8141 amendment. A recorded vote has been requested, and the clerk  
8142 will call the roll.

8143 \*The Clerk. Rodgers?

8144 [No response.]

8145 \*The Clerk. Burgess?

8146 \*Mr. Burgess. Votes no.

8147 \*The Clerk. Burgess votes no.

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8148 Latta?  
8149 [No response.]  
8150 \*The Clerk. Guthrie?  
8151 [No response.]  
8152 \*Mr. Latta. [Inaudible.]  
8153 \*The Clerk. Latta votes no.  
8154 Griffith?  
8155 \*Mr. Griffith. No.  
8156 \*The Clerk. Griffith votes no.  
8157 Bilirakis?  
8158 \*Mr. Bilirakis. No.  
8159 \*The Clerk. Bilirakis votes no.  
8160 Johnson?  
8161 \*Mr. Johnson. No.  
8162 \*The Clerk. Johnson votes no.  
8163 Bucshon?  
8164 \*Mr. Bucshon. No.  
8165 \*The Clerk. Bucshon votes no.  
8166 Hudson?  
8167 [No response.]  
8168

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8169 \*The Clerk. Walberg?

8170 [No response.]

8171 \*The Clerk. Carter?

8172 \*Mr. Carter. No.

8173 \*The Clerk. Carter votes no.

8174 Duncan?

8175 \*Mr. Duncan. No.

8176 \*The Clerk. Duncan votes no.

8177 Palmer?

8178 \*Mr. Palmer. No.

8179 \*The Clerk. Palmer votes no.

8180 Dunn?

8181 [No response.]

8182 \*The Clerk. Curtis?

8183 [No response.]

8184 \*The Clerk. Lesko?

8185 \*Mrs. Lesko. No.

8186 \*The Clerk. Lesko votes no.

8187 Pence?

8188 \*Mr. Pence. No.

8189 \*The Clerk. Pence votes no.

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8190 Crenshaw?  
8191 \*Mr. Crenshaw. No.  
8192 \*The Clerk. Crenshaw votes no.  
8193 Joyce?  
8194 \*Mr. Joyce. No.  
8195 \*The Clerk. Joyce votes no.  
8196 Armstrong?  
8197 \*Mr. Armstrong. No.  
8198 \*The Clerk. Armstrong votes no.  
8199 Weber?  
8200 \*Mr. Weber. No.  
8201 \*The Clerk. Weber votes no.  
8202 Allen?  
8203 \*Mr. Allen. No.  
8204 \*The Clerk. Allen votes no.  
8205 Balderson?  
8206 \*Mr. Balderson. [Inaudible.]  
8207 \*The Clerk. Balderson votes no.  
8208 Fulcher?  
8209 \*Mr. Fulcher. [Inaudible.]  
8210 \*The Clerk. Fulcher votes no.

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8211 Pfluger?  
8212 \*Mr. Pfluger. No.  
8213 \*The Clerk. Pfluger votes no.  
8214 Harshbarger?  
8215 \*Mrs. Harshbarger. [Inaudible.]  
8216 \*The Clerk. Harshbarger votes no.  
8217 Miller-Meeks?  
8218 \*Mrs. Miller-Meeks. No.  
8219 \*The Clerk. Miller-Meeks votes no.  
8220 Cammack?  
8221 \*Mrs. Cammack. No.  
8222 \*The Clerk. Cammack votes no.  
8223 Obernolte?  
8224 \*Mr. Obernolte. [Inaudible.]  
8225 \*The Clerk. Obernolte votes no.  
8226 Pallone?  
8227 \*Mr. Pallone. [Inaudible.]  
8228 \*The Clerk. Pallone votes aye.  
8229 Eshoo?  
8230 \*Ms. Eshoo. [Inaudible.]  
8231 \*The Clerk. Eshoo votes aye.

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8232 DeGette?  
8233 \*Ms. DeGette. Aye.  
8234 \*The Clerk. DeGette votes aye.  
8235 Schakowsky?  
8236 [No response.]  
8237 \*The Clerk. Matsui?  
8238 \*Ms. Matsui. Aye.  
8239 \*The Clerk. Matsui votes aye.  
8240 Castor?  
8241 \*Ms. Castor. Aye.  
8242 \*The Clerk. Castor votes aye.  
8243 Sarbanes?  
8244 \*Mr. Sarbanes. [Inaudible.]  
8245 \*The Clerk. Sarbanes votes aye.  
8246 Tonko?  
8247 [No response.]  
8248 \*The Clerk. Clarke?  
8249 \*Ms. Clarke. Aye.  
8250 \*The Clerk. Clarke votes aye.  
8251 Cardenas?  
8252 \*Mr. Cardenas. Aye.

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8253           \*The Clerk. Cardenas votes aye.  
8254           Ruiz?  
8255           \*Mr. Ruiz. Aye.  
8256           \*The Clerk. Ruiz votes aye.  
8257           Peters?  
8258           \*Mr. Peters. [Inaudible.]  
8259           \*The Clerk. Peters votes aye.  
8260           Dingell?  
8261           \*Mrs. Dingell. [Inaudible.]  
8262           \*The Clerk. Dingell votes aye.  
8263           Veasey?  
8264           \*Mr. Veasey. Aye.  
8265           \*The Clerk. Veasey votes aye.  
8266           Kuster?  
8267           [No response.]  
8268           \*The Clerk. Kelly?  
8269           \*Ms. Kelly. [Inaudible.]  
8270           \*The Clerk. Kelly votes aye.  
8271           Barragan?  
8272           \*Ms. Barragan. Aye.  
8273           \*The Clerk. Barragan votes aye.

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8274 Blunt Rochester?  
8275 \*Ms. Blunt Rochester. Aye.  
8276 \*The Clerk. Blunt Rochester votes aye.  
8277 Soto?  
8278 [No response.]  
8279 \*The Clerk. Craig?  
8280 \*Ms. Craig. Aye.  
8281 \*The Clerk. Craig votes aye.  
8282 Schrier?  
8283 [No response.]  
8284 \*The Clerk. Trahan?  
8285 \*Mrs. Trahan. [Inaudible.]  
8286 \*The Clerk. Trahan votes aye.  
8287 Fletcher?  
8288 \*Mrs. Fletcher. Aye.  
8289 \*The Clerk. Fletcher votes aye.  
8290 \*Mr. Guthrie. How am I recorded?  
8291 \*The Clerk. Mr. Guthrie is not recorded.  
8292 \*Mr. Guthrie. [Inaudible.]  
8293 \*The Clerk. Guthrie votes no.  
8294 \*Mr. Johnson. How is Mr. Tonko --

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8295 \*The Clerk. Mr. Tonko is not recorded.  
8296 \*Mr. Tonko. Tonko votes aye.  
8297 \*The Clerk. Tonko votes aye.  
8298 \*Mr. Johnson. How's Mr. Dunn recorded?  
8299 \*The Clerk. Mr. Dunn is not recorded.  
8300 \*Mr. Dunn. Nay.  
8301 \*The Clerk. Dunn --  
8302 \*Mr. Johnson. Chair Rodgers?  
8303 \*The Clerk. Dunn votes no.  
8304 \*The Chair. Madam Chair (sic), how am I recorded?  
8305 \*The Clerk. Chair Rodgers is not recorded.  
8306 \*The Chair. I vote no.  
8307 \*The Clerk. Chair Rodgers votes no.  
8308 \*Mr. Soto. Madam Clerk, how am I recorded?  
8309 \*The Clerk. So Mr. Soto is not recorded.  
8310 \*Mr. Soto. Soto votes aye.  
8311 \*The Clerk. Soto votes aye.  
8312 \*Ms. Kuster. Madam Clerk, how am I recorded?  
8313 \*The Clerk. Ms. Kuster is not recorded.  
8314 \*Ms. Kuster. Aye.  
8315 \*The Clerk. Kuster votes aye.

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8316 Ms. Schakowsky is not recorded.

8317 \*Ms. Schakowsky. Aye.

8318 \*The Clerk. Schakowsky votes aye.

8319 \*Mr. Johnson. Are there other members needing to be  
8320 recorded?

8321 The clerk will report the tally.

8322 [Pause.]

8323 \*The Clerk. Mr. Johnson, on that vote there are 22 ayes  
8324 and 26 noes.

8325 \*Mr. Johnson. The nays have it, and the amendment is  
8326 not agreed to.

8327 Are there other amendments?

8328 Then seeing none, the question now occurs on approving  
8329 H.R. 1070.

8330 All those in favor, say aye.

8331 All those opposed, no.

8332 The ayes have it, and the bill is agreed to. A roll  
8333 call has been requested. The clerk will call the roll.

8334 \*The Clerk. Rodgers?

8335 [No response.]

8336 \*The Clerk. Burgess?

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8337 \*Mr. Burgess. Votes aye.  
8338 \*The Clerk. Burgess votes aye.  
8339 Latta?  
8340 \*Mr. Latta. [Inaudible.]  
8341 \*The Clerk. Latta votes aye.  
8342 Guthrie?  
8343 \*Mr. Guthrie. Aye.  
8344 \*The Clerk. Guthrie votes aye.  
8345 Griffith?  
8346 \*Mr. Griffith. Aye.  
8347 \*The Clerk. Griffith votes aye.  
8348 Bilirakis?  
8349 [No response.]  
8350 \*The Clerk. Johnson?  
8351 \*Mr. Johnson. Aye.  
8352 \*The Clerk. Johnson votes aye.  
8353 Bucshon?  
8354 \*Mr. Bucshon. Aye.  
8355 \*The Clerk. Bucshon votes aye.  
8356 Hudson?  
8357 [No response.]

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8358 \*The Clerk. Walberg?  
8359 [No response.]  
8360 \*The Clerk. Carter?  
8361 \*Mr. Carter. Aye.  
8362 \*The Clerk. Carter votes aye.  
8363 Duncan?  
8364 [No response.]  
8365 \*The Clerk. Palmer?  
8366 \*Mr. Palmer. Aye.  
8367 \*The Clerk. Palmer votes aye.  
8368 Dunn?  
8369 \*Mr. Dunn. Aye.  
8370 \*The Clerk. Dunn votes aye.  
8371 Curtis?  
8372 [No response.]  
8373 \*The Clerk. Lesko?  
8374 \*Mrs. Lesko. Aye.  
8375 \*The Clerk. Lesko votes aye.  
8376 Pence?  
8377 [No response.]  
8378 \*The Clerk. Crenshaw?

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8379 \*Mr. Crenshaw. [Inaudible.]  
8380 \*The Clerk. Crenshaw votes aye.  
8381 Joyce?  
8382 \*Mr. Joyce. Aye.  
8383 \*The Clerk. Joyce votes aye.  
8384 Armstrong?  
8385 \*Mr. Armstrong. Yes.  
8386 \*The Clerk. Armstrong votes aye.  
8387 Weber?  
8388 \*Mr. Weber. Aye.  
8389 \*The Clerk. Weber votes aye.  
8390 Allen?  
8391 [No response.]  
8392 \*The Clerk. Balderson?  
8393 \*Mr. Balderson. Aye.  
8394 \*The Clerk. Balderson votes aye.  
8395 Fulcher?  
8396 \*Mr. Fulcher. Fulcher is aye.  
8397 \*The Clerk. Fulcher votes aye.  
8398 Pfluger?  
8399 \*Mr. Pfluger. Aye.

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8400 \*The Clerk. Pfluger votes aye.  
8401 Harshbarger?  
8402 \*Mrs. Harshbarger. [Inaudible.]  
8403 \*The Clerk. Harshbarger votes aye.  
8404 Miller-Meeks?  
8405 \*Mrs. Miller-Meeks. [Inaudible.]  
8406 \*The Clerk. Miller-Meeks votes aye.  
8407 Cammack?  
8408 \*Mrs. Cammack. Aye.  
8409 \*The Clerk. Cammack votes aye.  
8410 Obernolte?  
8411 \*Mr. Obernolte. Aye.  
8412 \*The Clerk. Obernolte votes aye.  
8413 Pallone?  
8414 \*Mr. Pallone. No.  
8415 \*The Clerk. Pallone votes no.  
8416 Eshoo?  
8417 \*Ms. Eshoo. No.  
8418 \*The Clerk. Eshoo votes no.  
8419 DeGette?  
8420 \*Ms. DeGette. No.

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8421           \*The Clerk. DeGette votes no.  
8422           Schakowsky?  
8423           \*Ms. Schakowsky. No.  
8424           \*The Clerk. Schakowsky votes no.  
8425           Matsui?  
8426           \*Ms. Matsui. [Inaudible.]  
8427           \*The Clerk. Matsui votes no.  
8428           Castor?  
8429           \*Ms. Castor. [Inaudible.]  
8430           \*The Clerk. Castor votes no.  
8431           Sarbanes?  
8432           \*Mr. Sarbanes. No.  
8433           \*The Clerk. Sarbanes votes no.  
8434           Tonko?  
8435           \*Mr. Tonko. No.  
8436           \*The Clerk. Tonko votes no.  
8437           Clarke?  
8438           \*Ms. Clarke. No.  
8439           \*The Clerk. Clarke votes no.  
8440           Cardenas?  
8441           \*Mr. Cardenas. No.

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8442           \*The Clerk. Cardenas votes no.  
8443           Ruiz?  
8444           \*Mr. Ruiz. No.  
8445           \*The Clerk. Ruiz votes no.  
8446           Peters?  
8447           \*Mr. Peters. [Inaudible.]  
8448           \*The Clerk. Peters votes no.  
8449           Dingell?  
8450           \*Mrs. Dingell. [Inaudible.]  
8451           \*The Clerk. Dingell votes no.  
8452           Veasey?  
8453           \*Mr. Veasey. [Inaudible.]  
8454           \*The Clerk. Veasey votes no.  
8455           Kuster?  
8456           \*Ms. Kuster. [Inaudible.]  
8457           \*The Clerk. Kuster votes no.  
8458           Kelly?  
8459           \*Ms. Kelly. [Inaudible.]  
8460           \*The Clerk. Kelly votes no.  
8461           Barragan?  
8462           \*Ms. Barragan. No.

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8463           \*The Clerk. Barragan votes no.  
8464           Blunt Rochester?  
8465           \*Ms. Blunt Rochester. No.  
8466           \*The Clerk. Blunt Rochester votes no.  
8467           Soto?  
8468           \*Mr. Soto. No.  
8469           \*The Clerk. Soto votes no.  
8470           Craig?  
8471           \*Ms. Craig. [Inaudible.]  
8472           \*The Clerk. Craig votes no.  
8473           Schrier?  
8474           [No response.]  
8475           \*The Clerk. Trahan?  
8476           \*Mrs. Trahan. [Inaudible.]  
8477           \*The Clerk. Trahan votes no.  
8478           Fletcher?  
8479           \*Mrs. Fletcher. No.  
8480           \*The Clerk. Fletcher votes no.  
8481           \*Mr. Allen. How is Allen recorded?  
8482           \*The Clerk. Mr. Allen is not recorded.  
8483           \*Mr. Allen. Allen votes yes.

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8484 \*The Clerk. Allen votes aye.

8485 \*Mr. Bilirakis. How is Bilirakis recorded?

8486 \*The Clerk. Mr. Bilirakis is not recorded.

8487 \*Mr. Bilirakis. Aye.

8488 \*The Clerk. Bilirakis votes aye.

8489 \*Mr. Duncan. Mr. Duncan?

8490 \*The Clerk. Mr. Duncan is not recorded.

8491 \*Mr. Duncan. Aye.

8492 \*The Clerk. Duncan votes aye.

8493 Mr. Pence is not recorded.

8494 \*Mr. Pence. Aye.

8495 \*The Clerk. Pence votes aye.

8496 \*The Chair. Madam Chair, how is Rodgers recorded?

8497 \*The Clerk. Chair Rodgers is not recorded.

8498 \*The Chair. Madam Clerk.

8499 [Laughter.]

8500 \*The Chair. [Inaudible.]

8501 \*The Clerk. Chair Rodgers votes aye.

8502 \*Mr. Walberg. Walberg, aye.

8503 \*The Clerk. Mr. Walberg votes aye.

8504 \*Mr. Johnson. Are there other members needing to be

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8505 recorded?

8506 The clerk will report.

8507 [Pause.]

8508 \*The Clerk. Mr. Johnson, on that vote we have 27 ayes  
8509 and 22 noes.

8510 \*Mr. Johnson. The ayes have it, and the bill is  
8511 adopted.

8512 The chair now calls up H.R. 1131, and asks the clerk to  
8513 report.

8514 \*The Clerk. H.R. 1131, to require the administrator of  
8515 the Environmental Protection Agency to authorize the use of  
8516 flexible air permitting with respect to certain critical  
8517 energy resource facilities, and for other purposes.

8518 \*Mr. Johnson. Without objection, the first reading of  
8519 the bill is dispensed with, and the bill will be open for  
8520 amendments at any point.

8521 So ordered.

8522 [The bill follows:]

8523

8524 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

8525

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8526           \*Mr. Johnson. Does anyone wish to speak on the bill?

8527           The gentleman from Pennsylvania, Dr. Joyce, is  
8528 recognized for five minutes.

8529           \*Mr. Joyce. Mr. Chairman, I seek recognition to strike  
8530 the last word in support of H.R. 1131.

8531           \*Mr. Johnson. The gentleman is recognized.

8532           \*Mr. Joyce. In the past, the American people have lost  
8533 faith in the congressional process because it has been  
8534 conducted behind closed doors and without regard for normal  
8535 procedure.

8536           I want again today to thank Chair McMorris Rodgers for  
8537 her efforts to return us to regular order. The legislation  
8538 that we discuss here today is vital to the interest of the  
8539 American public, and it is encouraging to see our committee  
8540 hold hearings, markups, and pass bills. This is the way our  
8541 founders intended.

8542           The discourse that we have here ensues our legislative  
8543 process, and it is thoughtful and it is meaningful. We are  
8544 already seeing in the first two months of the 118th Congress  
8545 why regular order is so important. House Republicans have  
8546 promised the American people transparency, and I am proud to

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8547 see us act accordingly.

8548 H.R. 1131 provides critical energy resource facilities  
8549 the ability in EPA's flexible air permitting program  
8550 providing these facilities with the flexibility to anticipate  
8551 and adapt to operational changes such as increase in market  
8552 demand or disruptions in supply. This EPA program is  
8553 actually already in existence, and has been utilized by both  
8554 Republican and Democrat administrations to increase the  
8555 production of a needed resource.

8556 For example, Intel was able to use this program to  
8557 successfully build one of its vital semiconductor fabrication  
8558 plants in Oregon to keep up with increased demand. This  
8559 Congress has a chance to give all critical energy resource  
8560 facilities the same opportunity.

8561 Serving on this committee, we have heard repeatedly that  
8562 China's mineral dominance is a threat to our national  
8563 security. The Chinese Communist Party is a threat to our  
8564 national security. The Chinese Communist Party controls  
8565 alarming portions of the mineral supply chain, and nearly 90  
8566 percent of all rare earth element processing, from large  
8567 commercial products like airplanes and industrial machinery

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8568 to retail goods like televisions and cell phones. Chinese  
8569 minerals have made their way into our daily lives, and,  
8570 literally, probably into the pockets of everyone here today.

8571 Energy security is needed national security. We cannot  
8572 afford to submit to the whims of adversarial nations.  
8573 Instead, we need to invest in our own energy potential  
8574 beneath the feet of my constituents to jumpstart our domestic  
8575 production.

8576 Unsurprisingly, the roadblock that American industry  
8577 faces is short-sighted regulation, government delay-spurred  
8578 backlogs. And viable projects and applications wither on the  
8579 vine before they can begin. We cannot expect to grow our  
8580 domestic capacity while suffocating in bureaucratic red tape.

8581 Make no mistake, environmental regulations are  
8582 important. To be clear, this bill does not lift  
8583 environmental requirements, but instead facilitates the  
8584 opportunity for permitting certainty. Again, to clear up any  
8585 misconceptions, this does not lift any environmental  
8586 obligations. Participants will have to comply with all Clean  
8587 Air Act requirements.

8588 H.R. 1131 is not about cutting regulations, but giving

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8589 critical resource producers certainty. It allows the EPA  
8590 administrator to consider broader use of flexible air  
8591 permits. It does not foresee the administrator to grant  
8592 flexible permits.

8593 This is the sort of common-sense permitting reform that  
8594 we have been talking about in this committee, and we should  
8595 be able to find common ground on it. Entities with flexible  
8596 market operations with five-year permits can cut time,  
8597 delays, and costs associated with the permitting approval  
8598 process. The benefits that these programs provide are clear  
8599 regulations, the ability to grow, and the assurance that  
8600 operations meet environmental standards.

8601 H.R. 1131 is a start toward pulling private capital off  
8602 the sidelines to finance new projects that can deliver the  
8603 resources that we need in our modern economy.

8604 For too long, regulations have scared off investment in  
8605 desperately-needed sectors. We saw recently with the supply  
8606 chain issues caused by the pandemic how easy it is for our  
8607 economy to be disrupted by shortages. The only way to  
8608 guarantee American access is to utilize American resources.  
8609 From processing facilities to mining operations, American

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8610 industry is ready to get to work. Providing the private  
8611 sector with permitting certainty is the first step in  
8612 breaking China's tight hold over the global critical mineral  
8613 supply, and reclaiming American energy dominance.

8614 Thank you, Mr. Chair, and I yield.

8615 \*Mr. Johnson. The gentleman yields back. Do other  
8616 members wish to -- Mr. Pallone is recognized for five  
8617 minutes.

8618 \*Mr. Pallone. Thank you. I am -- just wanted to say --  
8619 and, you know, I am not trying to make things difficult. I  
8620 know the time is short, but Dr. Joyce mentioned regular  
8621 order. And, you know, I just want you to know that I really  
8622 appreciate the fact that Chairwoman Rodgers is proceeding  
8623 with regular order on these bills, but I think both of us  
8624 have tried whenever we have been in charge to proceed with  
8625 regular order.

8626 The problem is that, from time to time, you know, we get  
8627 the House leadership -- be it a Democrat or Republican --  
8628 that, because they want to act quickly, don't go through  
8629 regular order. And we saw that with your leadership in the  
8630 first month or so, where many bills came to the floor that

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8631 were under this committee's jurisdiction went directly to the  
8632 floor without having regular order. And of course, that  
8633 happens sometimes, as well, when the Democrats were in  
8634 charge.

8635 But I just want you to know that, you know, both myself  
8636 and I know Chairwoman Rodgers, I speak for her, we really --

8637 \*Mr. Burgess. Will the gentleman yield?

8638 \*Mr. Pallone. We like to do regular order whenever we  
8639 can, but sometimes it just doesn't happen.

8640 I will certainly yield to you, because I know you are  
8641 the biggest advocate of all.

8642 \*Mr. Burgess. Well, and here is -- and you know this to  
8643 be true -- it is not just occasionally. It is either party  
8644 in charge, the first two months of the year, you haven't  
8645 constituted the committees, barely constituted the Rules  
8646 Committee. I mean, it is hard to have regular order during  
8647 the first two months. That is why, when you passed your  
8648 rules package two years ago, when we passed our rules package  
8649 this time, we embedded in those first rules the bills that  
8650 would be coming to the floor during the first two months.

8651 Now we are past the first of March. That time has

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8652 passed. Yes, things are proceeding through regular order, so  
8653 we should congratulate ourselves on how successful this has  
8654 been through both the subcommittee process and the full  
8655 committee process.

8656 And I will yield back to the ranking member.

8657 \*Mr. Pallone. And I certainly appreciate having  
8658 appeared before you on the Rules Committee on many occasions,  
8659 and I am sure will in the future.

8660 I am not trying to take away from what Dr. Joyce said.  
8661 I just want to point out that I do believe that this  
8662 committee's leadership has always tried to, whenever  
8663 possible, do regular order. And I appreciate the fact that  
8664 we are doing that today.

8665 Thank you, I yield back.

8666 \*Mr. Johnson. The gentleman yields back. Do other  
8667 members wish to speak on the bill?

8668 Are there any bipartisan amendments?

8669 Are there any amendments?

8670 \*Mr. Tonko. Mr. Chair?

8671 \*Mr. Johnson. For what purpose does the gentleman seek  
8672 recognition?

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8673           \*Mr. Tonko. Mr. Chair, I have an amendment at the desk  
8674 labeled FCD01.

8675           \*Mr. Johnson. The clerk will report.

8676           \*The Clerk. An amendment to H.R. 1131, offered by Mr.  
8677 Tonko. Page 3, line 2, before the --

8678           \*Mr. Johnson. Without objection, the reading of the  
8679 amendment is dispensed with.

8680           [The amendment of Mr. Tonko follows:]

8681

8682           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

8683

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8684           \*Mr. Johnson. The gentleman is recognized for five  
8685 minutes in support of his amendment.

8686           \*Mr. Tonko. Thank you, Mr. Chair.

8687           H.R. 1131 would compel the EPA administrator to  
8688 authorize use of flexible air permits for any and all  
8689 critical energy resource facilities. As we have heard, this  
8690 term is very loosely defined, and could include almost any  
8691 type of industrial facility. Specifically, a flexible air  
8692 permit contains approaches that allow the source to make  
8693 certain types of operational changes without further review  
8694 or approval by the appropriate permitting authority. These  
8695 permits are considered and granted by states and the EPA on a  
8696 case-by-case basis, and include terms and conditions for each  
8697 unique facility.

8698           At the Environment Subcommittee markup I expressed my  
8699 concerns with this legislation. Since no efforts were made  
8700 to address my concerns, I feel the need to reiterate the  
8701 glaring problems with this legislation. As I said at the  
8702 subcommittee markup, the use of flexible air permitting may  
8703 make sense in specific situations. However, we have  
8704 witnessed egregious abuses of flexible air permits.

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8705           A recent example is at the Limetree Bay refinery in the  
8706 Virgin Islands. After being shuttered for almost a decade,  
8707 the Trump Administration granted this troubled facility a  
8708 flexible air permit, allowing it to reopen, continue to  
8709 operate, increase pollution, and evade stricter air pollution  
8710 controls. Despite this sweetheart deal from the Trump  
8711 Administration, the company refused to comply with simple  
8712 tasks like air monitoring. The Biden EPA yanked the flexible  
8713 air permit when a malfunction just a few days after the  
8714 refinery restarted sent oil droplets into the air, and a  
8715 series of chemical releases into the environment sickened  
8716 nearby communities.

8717           Flexible air permits need to be considered on a case-by-  
8718 case basis, as each facility has its own unique set of  
8719 circumstances that may warrant this type of regulatory and  
8720 operational flexibility. As drafted, this bill would force  
8721 the EPA administrator to put public health and the welfare of  
8722 communities surrounding these so-called critical energy  
8723 resource facilities at risk by granting blanket air permits  
8724 even to facilities that have previously violated the Clean  
8725 Air Act.

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8726           My amendment would address this problem by excluding  
8727 facilities that have previously violated the Clean Air Act  
8728 from being eligible for flexible air permits.

8729           Air permits are one tool that EPA has to protect our  
8730 communities and the environment from dangerous pollutants.  
8731 Forcing the EPA administrator to grant more flexible air  
8732 permits to facilities that have a history of violating their  
8733 past permits simply does not make sense. Why should we  
8734 reward sources if they have a bad track record in order to  
8735 make certain we are guarding against bad actors that have  
8736 demonstrated they are willing to put our constituents and the  
8737 environment at risk?

8738           So, Mr. Chair, I urge my colleagues to support this  
8739 amendment. And with that, I yield back.

8740           \*Mr. Johnson. The gentleman yields back. Are there  
8741 other members seeking recognition?

8742           Dr. Joyce from Pennsylvania.

8743           \*Mr. Joyce. I seek to speak in opposition to this  
8744 amendment.

8745           \*Mr. Johnson. The gentleman is recognized for five  
8746 minutes.

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8747           \*Mr. Joyce. This amendment is unnecessary, because the  
8748 existing flexible air permitting program already requires  
8749 sources to comply with all Clean Air Act requirements.

8750           The EPA itself, in the fact sheet on the final flexible  
8751 air permitting rule, reaffirms that the source must continue  
8752 to meet all Clean Air Act requirements that apply.

8753           The underlying bill provides critical energy resource  
8754 producers certainty by providing a flexible, market-  
8755 responsive approach to permitting.

8756           I urge a no vote on this amendment, and yield back.

8757           \*Mr. Johnson. The gentleman yields back. Are there  
8758 other members seeking to speak on the amendment?

8759           \*Mr. Pallone. We want a roll call on it, though.

8760           \*Mr. Johnson. Seeing none, a roll call vote has been  
8761 requested. The clerk will report -- will call the roll.

8762           \*The Clerk. Rodgers?

8763           [No response.]

8764           \*The Clerk. Burgess?

8765           \*Mr. Burgess. Votes no.

8766           \*The Clerk. Burgess votes no.

8767           Latta?

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8768 \*Mr. Latta. No.  
8769 \*The Clerk. Latta votes no.  
8770 Guthrie?  
8771 \*Mr. Guthrie. No.  
8772 \*The Clerk. Guthrie votes no.  
8773 Griffith?  
8774 \*Mr. Griffith. No.  
8775 \*The Clerk. Griffith votes no.  
8776 Bilirakis?  
8777 \*Mr. Bilirakis. No.  
8778 \*The Clerk. Bilirakis votes no.  
8779 Johnson?  
8780 \*Mr. Johnson. No.  
8781 \*The Clerk. Johnson votes no.  
8782 Bucshon?  
8783 \*Mr. Bucshon. No.  
8784 \*The Clerk. Bucshon votes no.  
8785 Hudson?  
8786 [No response.]  
8787 \*The Clerk. Walberg?  
8788 [No response.]

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8789           \*The Clerk. Carter?  
8790           \*Mr. Carter. No.  
8791           \*The Clerk. Carter votes no.  
8792           Duncan?  
8793           \*Mr. Duncan. No.  
8794           \*The Clerk. Duncan votes no.  
8795           Palmer?  
8796           \*Mr. Palmer. [Inaudible.]  
8797           \*The Clerk. Palmer votes no.  
8798           Dunn?  
8799           \*Mr. Dunn. [Inaudible.]  
8800           \*The Clerk. Dunn votes no.  
8801           Curtis?  
8802           [No response.]  
8803           \*The Clerk. Lesko?  
8804           \*Mrs. Lesko. No.  
8805           \*The Clerk. Lesko votes no.  
8806           Pence?  
8807           \*Mr. Pence. No.  
8808           \*The Clerk. Pence votes no.  
8809           Crenshaw?

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8810 [No response.]  
8811 \*The Clerk. Joyce?  
8812 \*Mr. Joyce. No.  
8813 \*The Clerk. Joyce votes no.  
8814 Armstrong?  
8815 [No response.]  
8816 \*The Clerk. Weber?  
8817 \*Mr. Weber. No.  
8818 \*The Clerk. Weber votes no.  
8819 Allen?  
8820 [No response.]  
8821 \*The Clerk. Balderson?  
8822 \*Mr. Balderson. No.  
8823 \*The Clerk. Balderson votes no.  
8824 Fulcher?  
8825 [No response.]  
8826 \*The Clerk. Pfluger?  
8827 \*Mr. Pfluger. No.  
8828 \*The Clerk. Pfluger votes no.  
8829 Harshbarger?  
8830 \*Mrs. Harshbarger. [Inaudible.]

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8831 \*The Clerk. Harshbarger votes no.  
8832 Miller-Meeks?  
8833 \*Mrs. Miller-Meeks. No.  
8834 \*The Clerk. Miller-Meeks votes no.  
8835 Cammack?  
8836 \*Mrs. Cammack. No.  
8837 \*The Clerk. Cammack votes no.  
8838 Obernolte?  
8839 \*Mr. Obernolte. [Inaudible.]  
8840 \*The Clerk. Obernolte votes no.  
8841 Pallone?  
8842 \*Mr. Pallone. [Inaudible.]  
8843 \*The Clerk. Pallone votes aye.  
8844 Eshoo?  
8845 \*Ms. Eshoo. Votes aye.  
8846 \*The Clerk. Eshoo votes aye.  
8847 DeGette?  
8848 [No response.]  
8849 \*The Clerk. Schakowsky?  
8850 \*Ms. Schakowsky. Aye.  
8851 \*The Clerk. Schakowsky votes aye.

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8852 Matsui?

8853 \*Ms. Matsui. Aye.

8854 \*The Clerk. Matsui votes aye.

8855 Castor?

8856 \*Ms. Castor. Aye.

8857 \*The Clerk. Castor votes aye.

8858 Sarbanes?

8859 \*Mr. Sarbanes. Aye.

8860 \*The Clerk. Sarbanes votes aye.

8861 Tonko?

8862 \*Mr. Tonko. Aye.

8863 \*The Clerk. Tonko votes aye.

8864 Clarke?

8865 \*Ms. Clarke. Aye.

8866 \*The Clerk. Clarke votes aye.

8867 Cardenas?

8868 \*Mr. Cardenas. Aye.

8869 \*The Clerk. Cardenas votes aye.

8870 Ruiz?

8871 \*Mr. Ruiz. Aye.

8872 \*The Clerk. Ruiz votes aye.

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8873 Peters?  
8874 \*Mr. Peters. [Inaudible.]  
8875 \*The Clerk. Peters votes aye.  
8876 Dingell?  
8877 \*Mrs. Dingell. Aye.  
8878 \*The Clerk. Dingell votes aye.  
8879 Veasey?  
8880 \*Mr. Veasey. Aye.  
8881 \*The Clerk. Veasey votes aye.  
8882 Kuster?  
8883 \*Ms. Kuster. Aye.  
8884 \*The Clerk. Kuster votes aye.  
8885 Kelly?  
8886 \*Ms. Kelly. Aye.  
8887 \*The Clerk. Kelly votes aye.  
8888 Barragan?  
8889 \*Ms. Barragan. Aye.  
8890 \*The Clerk. Barragan votes aye.  
8891 Blunt Rochester?  
8892 \*Ms. Blunt Rochester. Aye.  
8893 \*The Clerk. Blunt Rochester votes aye.

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8894 Soto?

8895 \*Mr. Soto. Aye.

8896 \*The Clerk. Soto votes aye.

8897 Craig?

8898 \*Ms. Craig. Aye.

8899 \*The Clerk. Craig votes aye.

8900 Schrier?

8901 [No response.]

8902 \*The Clerk. Trahan?

8903 \*Mrs. Trahan. Aye.

8904 \*The Clerk. Trahan votes aye.

8905 Fletcher?

8906 \*Mrs. Fletcher. Aye.

8907 \*The Clerk. Fletcher votes aye.

8908 \*Mr. Johnson. Are there members not recorded?

8909 How is Mr. Fulcher recorded?

8910 \*The Clerk. Mr. Fulcher is not recorded.

8911 \*Mr. Fulcher. Fulcher is no.

8912 \*The Clerk. Fulcher votes no.

8913 \*Mr. Johnson. How is Mr. Allen recorded?

8914 \*The Clerk. Mr. Allen is not recorded.

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8915           \*Mr. Allen. Allen votes no.  
8916           \*The Clerk. Allen votes no.  
8917           \*Ms. DeGette. How is DeGette recorded?  
8918           \*The Clerk. DeGette is not recorded.  
8919           \*Ms. DeGette. DeGette votes aye.  
8920           \*The Clerk. DeGette votes aye.  
8921           \*Mr. Walberg. Walberg votes no.  
8922           \*The Clerk. Walberg votes no.  
8923           \*The Chair. Madam Clerk, how am I recorded?  
8924           \*The Clerk. Mrs. Rodgers is not recorded.  
8925           \*Mrs. Rodgers. I vote no.  
8926           \*The Clerk. Rodgers votes no.  
8927           \*Mr. Johnson. Are there other members seeking to be  
8928 recorded?  
8929           The clerk will report.  
8930           [Pause.]  
8931           \*The Clerk. Chair, on that vote we have 22 ayes and 25  
8932 nays.  
8933           \*Mr. Johnson. The nays have it, and the amendment is  
8934 not adopted.  
8935           Are there other amendments?

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8936 \*Ms. Castor. Mr. Chair?

8937 \*Mr. Johnson. For what purpose does the gentlelady seek  
8938 recognition?

8939 \*Ms. Castor. I have an amendment at the desk, FCD03.

8940 \*Mr. Johnson. The clerk will report.

8941 \*The Clerk. Can the gentlelady repeat the amendment?

8942 \*Ms. Castor. FCD03.

8943 \*The Clerk. O three?

8944 [Pause.]

8945 \*The Clerk. Amendment to H.R. --

8946 \*Mr. Johnson. Without objection, the reading of the  
8947 amendment is dispensed with.

8948 [The amendment of Ms. Castor follows:]

8949

8950 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

8951

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8952           \*Mr. Johnson. And the gentlelady is recognized for five  
8953 minutes in support of her amendment.

8954           \*Ms. Castor. Thank you, Mr. Chairman.

8955           Colleagues, the Clean Air Act is the most important  
8956 Federal law protecting the air that we breathe from harmful  
8957 pollution. Many vulnerable and working-class communities  
8958 suffer disproportionate risk from daily exposure to air  
8959 pollution. Often they bear the burden of cumulative impacts.  
8960 We see this often in our neighborhoods for our Black  
8961 neighbors, Latino neighbors, working-class neighborhoods.  
8962 The EPA has found that living near sources of air pollution  
8963 like industrial facilities can lead to health problems like  
8964 asthma, reduced lung function, cardiovascular disease, and  
8965 premature death.

8966           This amendment would make sure that, before this  
8967 legislation can take effect, the EPA administrator publish a  
8968 determination that the legislation will not cause a  
8969 disproportionate burden of adverse human health and  
8970 environmental effects, and will not result in disparate  
8971 economic impacts to vulnerable and low-income communities.

8972           The -- there was a witness that appeared during the

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8973 Environment Subcommittee who testified about all the bills,  
8974 but I think it is particularly appropriate, applicable to  
8975 this bill. He said that it creates a false narrative aimed  
8976 at circumvention of critical environmental and public health  
8977 protections in order to greenlight harmful corporate  
8978 polluters at the expense of frontline communities and  
8979 vulnerable people.

8980 In addition, the -- this -- just saying you have carte  
8981 blanche if you are a critical energy resource facility is --  
8982 it is just too -- it is a bridge too far. It is entirely  
8983 vague. It creates a massive loophole. If Mr. Joyce would  
8984 like to work on refining some of this, I would be happy to  
8985 work with him on it.

8986 And the good news is that the last Congress passed the  
8987 Inflation Reduction Act and the Bipartisan Infrastructure Law  
8988 that is establishing the policies necessary to lower costs,  
8989 to clean up the air, to create jobs across America in the  
8990 clean energy economy. And we are -- since they have passed,  
8991 we have seen all sorts of important clean energy investments  
8992 happening all across America. There is money being put back  
8993 into the pockets of all of our neighbors. And really, I

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8994 think our time would be better spent working together to do  
8995 just that.

8996 So there are better ways about going -- there are better  
8997 ways to go about increasing the amount of critical energy  
8998 resources in America. And thankfully, we are on track to do  
8999 that already.

9000 So I urge my colleagues to adopt my amendment to protect  
9001 vulnerable and low -- lower-income communities from the  
9002 disproportionate impacts of air pollution, and I yield back  
9003 my time.

9004 \*Mr. Johnson. The gentlelady yields back. Are there  
9005 members wishing to speak on the amendment?

9006 Dr. Joyce from Pennsylvania.

9007 \*Mr. Joyce. Mr. Chair, I seek to speak in opposition to  
9008 the amendment.

9009 \*Mr. Johnson. The gentleman is recognized for five  
9010 minutes.

9011 \*Mr. Joyce. This amendment is an effort to gut the  
9012 underlying bill by slow-walking implementation, and making it  
9013 contingent on a determination by the EPA administrator.

9014 Furthermore, the amendment is unnecessary, because the

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9015 existing flexible air permitting program already requires  
9016 sources to comply with all Clean Air Act requirements.

9017 The underlying bill provides critical energy resource  
9018 producers certainty by providing a flexible, market-  
9019 responsive approach to permitting that already maintains all  
9020 of the human health and environmental protections of the  
9021 Clean Air Act.

9022 I urge a no vote on the amendment, and yield back.

9023 \*Mr. Johnson. The gentleman yields back. Do any other  
9024 members seek to be recognized on the amendment?

9025 \*Mr. Pallone. A recorded vote.

9026 \*Mr. Johnson. A recorded vote? Seeing none, a recorded  
9027 vote has been requested, and the clerk will call the roll.

9028 \*The Clerk. Rodgers?

9029 [No response.]

9030 \*The Clerk. Burgess?

9031 \*Mr. Burgess. Votes no.

9032 \*The Clerk. Burgess votes no.

9033 Latta?

9034 \*Mr. Latta. [Inaudible.]

9035 \*The Clerk. Latta votes no.

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9036 Guthrie?  
9037 \*Mr. Guthrie. No.  
9038 \*The Clerk. Guthrie votes no.  
9039 Griffith?  
9040 \*Mr. Griffith. No.  
9041 \*The Clerk. Griffith votes no.  
9042 Bilirakis?  
9043 [No response.]  
9044 \*The Clerk. Johnson?  
9045 \*Mr. Johnson. No.  
9046 \*The Clerk. Johnson votes no.  
9047 Bucshon?  
9048 \*Mr. Bucshon. No.  
9049 \*The Clerk. Bucshon votes no.  
9050 Hudson?  
9051 [No response.]  
9052 \*The Clerk. Walberg?  
9053 \*Mr. Walberg. No.  
9054 \*The Clerk. Walberg votes no.  
9055 Carter?  
9056 \*Mr. Carter. No.

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9057 \*The Clerk. Carter votes no.

9058 Duncan?

9059 \*Mr. Duncan. No.

9060 \*The Clerk. Duncan votes no.

9061 Palmer?

9062 \*Mr. Palmer. No.

9063 \*The Clerk. Palmer votes no.

9064 Dunn?

9065 \*Mr. Dunn. No.

9066 \*The Clerk. Dunn votes no.

9067 Curtis?

9068 [No response.]

9069 \*The Clerk. Lesko?

9070 \*Mrs. Lesko. No.

9071 \*The Clerk. Lesko votes no.

9072 Pence?

9073 \*Mr. Pence. No.

9074 \*The Clerk. Pence votes no.

9075 Crenshaw?

9076 [No response.]

9077

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9078 \*The Clerk. Joyce?  
9079 \*Mr. Joyce. No.  
9080 \*The Clerk. Joyce votes no.  
9081 Armstrong?  
9082 [No response.]  
9083 \*The Clerk. Weber?  
9084 \*Mr. Weber. [Inaudible.]  
9085 \*The Clerk. Weber votes no.  
9086 Allen?  
9087 \*Mr. Allen. No.  
9088 \*The Clerk. Allen votes no.  
9089 Balderson?  
9090 \*Mr. Balderson. No.  
9091 \*The Clerk. Balderson votes no.  
9092 Fulcher?  
9093 \*Mr. Fulcher. Fulcher is no.  
9094 \*The Clerk. Fulcher votes no.  
9095 Pfluger?  
9096 \*Mr. Pfluger. No.  
9097 \*The Clerk. Pfluger votes no.  
9098 Harshbarger?

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9099 \*Mrs. Harshbarger. [Inaudible.]  
9100 \*The Clerk. Harshbarger votes no.  
9101 Miller-Meeks?  
9102 [No response.]  
9103  
9104 \*The Clerk. Cammack?  
9105 \*Mrs. Cammack. No.  
9106 \*The Clerk. Cammack votes no.  
9107 Obernolte?  
9108 \*Mr. Obernolte. No.  
9109 \*The Clerk. Obernolte votes no.  
9110 Pallone?  
9111 \*Mr. Pallone. Aye.  
9112 \*The Clerk. Pallone votes aye.  
9113 Eshoo?  
9114 \*Ms. Eshoo. Aye.  
9115 \*The Clerk. Eshoo votes aye.  
9116 DeGette?  
9117 \*Ms. DeGette. Aye.  
9118 \*The Clerk. DeGette votes aye.  
9119 Schakowsky?

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9120           \*Ms. Schakowsky. Aye.  
9121           \*The Clerk. Schakowsky votes aye.  
9122           Matsui?  
9123           \*Ms. Matsui. Aye.  
9124           \*The Clerk. Matsui votes aye.  
9125           Castor?  
9126           \*Ms. Castor. [Inaudible.]  
9127           \*The Clerk. Castor votes aye.  
9128           Sarbanes?  
9129           \*Mr. Sarbanes. Aye.  
9130           \*The Clerk. Sarbanes votes aye.  
9131           Tonko?  
9132           \*Mr. Tonko. Aye.  
9133           \*The Clerk. Tonko votes aye.  
9134           Clarke?  
9135           \*Ms. Clarke. Aye.  
9136           \*The Clerk. Clarke votes aye.  
9137           Cardenas?  
9138           \*Mr. Cardenas. Aye.  
9139           \*The Clerk. Cardenas votes aye.  
9140           Ruiz?

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9141 [No response.]

9142 \*The Clerk. Peters?

9143 \*Mr. Peters. [Inaudible.]

9144 \*The Clerk. Peters votes aye.

9145 Dingell?

9146 [No response.]

9147 \*The Clerk. Veasey?

9148 \*Mr. Veasey. Aye.

9149 \*The Clerk. Veasey votes aye.

9150 Kuster?

9151 \*Ms. Kuster. [Inaudible.]

9152 \*The Clerk. Kuster votes aye.

9153 Kelly?

9154 \*Ms. Kelly. [Inaudible.]

9155 \*The Clerk. Kelly votes aye.

9156 Barragan?

9157 \*Ms. Barragan. Aye.

9158 \*The Clerk. Barragan votes aye.

9159 Blunt Rochester?

9160 \*Ms. Blunt Rochester. Aye.

9161 \*The Clerk. Blunt Rochester votes aye.

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9162 Soto?

9163 \*Mr. Soto. Aye.

9164 \*The Clerk. Soto votes aye.

9165 Craig?

9166 \*Ms. Craig. [Inaudible.]

9167 \*The Clerk. Craig votes aye.

9168 Schrier?

9169 [No response.]

9170 \*The Clerk. Trahan?

9171 \*Mrs. Trahan. [Inaudible.]

9172 \*The Clerk. Trahan votes aye.

9173 Fletcher?

9174 \*Mrs. Fletcher. Aye.

9175 \*The Clerk. Fletcher votes aye.

9176 \*Mr. Johnson. Are there members seeking to be recorded?

9177 \*Mr. Ruiz. Ruiz?

9178 \*The Clerk. Mr. Ruiz is not recorded.

9179 \*Mr. Ruiz. Aye.

9180 \*The Clerk. Mr. Ruiz votes aye.

9181 \*Mr. Johnson. How is Mr. Bilirakis recorded?

9182 \*The Clerk. Mr. Bilirakis is not recorded.

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9183 \*Mr. Bilirakis. Bilirakis votes no.

9184 \*The Clerk. Bilirakis votes no.

9185 \*Mr. Johnson. How is Chair Rodgers recorded?

9186 \*The Clerk. Chair Rodgers is not recorded.

9187 \*The Chair. Vote aye.

9188 \*The Clerk. Rodgers votes aye.

9189 \*The Chair. I vote no.

9190 \*The Clerk. Rodgers is off aye, on no.

9191 \*The Clerk. Rep. Armstrong is not recorded.

9192 \*Mr. Armstrong. [Inaudible.]

9193 \*The Clerk. Armstrong votes no.

9194 \*Mr. Johnson. Are there other members seeking to be  
9195 recorded?

9196 The clerk will report.

9197 [Pause.]

9198 \*The Clerk. Mr. Johnson, on that vote there were 21  
9199 ayes and 25 noes.

9200 \*Mr. Johnson. The nays have it, and the amendment is  
9201 not adopted.

9202 Are there other amendments?

9203 The question now occurs on approving H.R. 1131.

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9204 All those in favor, say aye.  
9205 All those opposed, no.  
9206 The ayes have it, and the bill is agreed to.  
9207 \*Voice. Request a roll call vote.  
9208 \*Mr. Johnson. And a roll call vote has been requested.  
9209 The clerk will call the roll.  
9210 \*The Clerk. Rodgers?  
9211 [No response.]  
9212 \*The Clerk. Burgess?  
9213 \*Mr. Burgess. Votes aye.  
9214 \*The Clerk. Burgess --  
9215 \*The Chair. [Inaudible.]  
9216 \*The Clerk. Rodgers votes aye.  
9217 Burgess?  
9218 \*Mr. Burgess. Votes aye.  
9219 \*The Clerk. Burgess votes aye.  
9220 Latta?  
9221 \*Mr. Latta. Aye.  
9222 \*The Clerk. Latta votes aye.  
9223 Guthrie?  
9224 \*Mr. Guthrie. Aye.

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9225           \*The Clerk. Guthrie votes aye.  
9226           Griffith?  
9227           \*Mr. Griffith. Aye.  
9228           \*The Clerk. Griffith votes aye.  
9229           Bilirakis?  
9230           \*Mr. Bilirakis. Aye.  
9231           \*The Clerk. Bilirakis votes aye.  
9232           Johnson?  
9233           \*Mr. Johnson. Aye.  
9234           \*The Clerk. Johnson votes aye.  
9235           Bucshon?  
9236           \*Mr. Bucshon. Aye.  
9237           \*The Clerk. Bucshon votes aye.  
9238           Hudson?  
9239           [No response.]  
9240           \*The Clerk. Walberg?  
9241           \*Mr. Walberg. Aye.  
9242           \*The Clerk. Walberg votes aye.  
9243           Carter?  
9244           \*Mr. Carter. Aye.  
9245           \*The Clerk. Carter votes aye.

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9246 Duncan?  
9247 \*Mr. Duncan. [Inaudible.]  
9248 \*The Clerk. Duncan votes aye.  
9249 Palmer?  
9250 \*Mr. Palmer. [Inaudible.]  
9251 \*The Clerk. Palmer votes aye.  
9252 Dunn?  
9253 [No response.]  
9254 \*The Clerk. Curtis?  
9255 [No response.]  
9256 \*The Clerk. Lesko?  
9257 \*Mrs. Lesko. Aye.  
9258 \*The Clerk. Lesko votes aye.  
9259 Pence?  
9260 \*Mr. Pence. Aye.  
9261 \*The Clerk. Pence votes aye.  
9262 Crenshaw?  
9263 [No response.]  
9264 \*The Clerk. Joyce?  
9265 \*Mr. Joyce. Aye.  
9266 \*The Clerk. Joyce votes aye.

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9267 Armstrong?  
9268 \*Mr. Armstrong. Yes.  
9269 \*The Clerk. Armstrong votes aye.  
9270 Weber?  
9271 \*Mr. Weber. Aye.  
9272 \*The Clerk. Weber votes aye.  
9273 \*Mr. Allen. Aye.  
9274 \*The Clerk. Allen?  
9275 Allen votes aye.  
9276 Balderson?  
9277 [No response.]  
9278 \*The Clerk. Fulcher?  
9279 \*Mr. Fulcher. Fulcher is aye.  
9280 \*The Clerk. Fulcher votes aye.  
9281 Pfluger?  
9282 \*Mr. Pfluger. [Inaudible.]  
9283 \*The Clerk. Pfluger votes aye.  
9284 Harshbarger?  
9285 \*Mrs. Harshbarger. [Inaudible.]  
9286 \*The Clerk. Harshbarger votes aye.  
9287 Miller-Meeks?

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9288 \*Mrs. Miller-Meeks. [Inaudible.]  
9289 \*The Clerk. Miller-Meeks votes aye.  
9290 Cammack?  
9291 \*Mrs. Cammack. Aye.  
9292 \*The Clerk. Cammack votes aye.  
9293 Obernolte?  
9294 \*Mr. Obernolte. Aye.  
9295 \*The Clerk. Obernolte votes aye.  
9296 Pallone?  
9297 \*Mr. Pallone. No.  
9298 \*The Clerk. Pallone votes no.  
9299 Eshoo?  
9300 \*Ms. Eshoo. No.  
9301 \*The Clerk. Eshoo votes no.  
9302 DeGette?  
9303 \*Ms. DeGette. No.  
9304 \*The Clerk. DeGette votes no.  
9305 Schakowsky?  
9306 \*Ms. Schakowsky. No.  
9307 \*The Clerk. Schakowsky votes no.  
9308 Matsui?

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9309           \*Ms. Matsui. No.  
9310           \*The Clerk. Matsui votes no.  
9311           Castor?  
9312           \*Ms. Castor. [Inaudible.]  
9313           \*The Clerk. Castor votes no.  
9314           Sarbanes?  
9315           \*Mr. Sarbanes. No.  
9316           \*The Clerk. Sarbanes votes no.  
9317           Tonko?  
9318           \*Mr. Tonko. No.  
9319           \*The Clerk. Tonko votes no.  
9320           Clarke?  
9321           \*Ms. Clarke. [Inaudible.]  
9322           \*The Clerk. Clarke votes no.  
9323           Cardenas?  
9324           \*Mr. Cardenas. No.  
9325           \*The Clerk. Cardenas votes no.  
9326           Ruiz?  
9327           \*Mr. Ruiz. No.  
9328           \*The Clerk. Ruiz votes no.  
9329           Peters?

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9330 \*Mr. Peters. [Inaudible.]  
9331 \*The Clerk. Peters votes no.  
9332 Dingell?  
9333 [No response.]  
9334 \*The Clerk. Veasey?  
9335 \*Mr. Veasey. No.  
9336 \*The Clerk. Veasey votes no.  
9337 Kuster?  
9338 [No response.]  
9339 \*The Clerk. Kelly?  
9340 \*Ms. Kelly. [Inaudible.]  
9341 \*The Clerk. Kelly votes no.  
9342 Barragan?  
9343 \*Ms. Barragan. No.  
9344 \*The Clerk. Barragan votes no.  
9345 Blunt Rochester?  
9346 \*Ms. Blunt Rochester. [Inaudible.]  
9347 \*The Clerk. Blunt Rochester votes no.  
9348 Soto?  
9349 \*Mr. Soto. No.  
9350 \*The Clerk. Soto votes no.

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9351 Craig?  
9352 \*Ms. Craig. [Inaudible.]  
9353 \*The Clerk. Craig votes no.  
9354 Schrier?  
9355 [No response.]  
9356 \*The Clerk. Trahan?  
9357 \*Mrs. Trahan. No.  
9358 \*The Clerk. Trahan votes no.  
9359 Fletcher?  
9360 \*Mrs. Fletcher. No.  
9361 \*The Clerk. Fletcher votes no.  
9362 \*Mr. Dunn. Dunn votes no -- Dunn votes aye, not no.  
9363 \*The Clerk. Dunn votes aye.  
9364 \*Mr. Johnson. Are there other members needing to be  
9365 recorded?  
9366 The clerk will report.  
9367 [Pause.]  
9368 \*Mr. Balderson. How am I voted, Balderson?  
9369 \*Mr. Johnson. How is Mr. Balderson recorded?  
9370 \*The Clerk. Mr. Balderson is not recorded.  
9371 \*Mr. Balderson. Yes.

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9372 \*The Clerk. Balderson votes aye.

9373 [Pause.]

9374 \*The Clerk. Mr. Johnson, on that vote we have 26 ayes  
9375 and 20 noes.

9376 \*Mr. Johnson. The ayes have it, and the bill is  
9377 adopted.

9378 The chair now calls up H.R. 1140, and asks the clerk to  
9379 report.

9380 \*The Clerk. H.R. 1140, to authorize the administrator  
9381 of the Environmental Protection Agency --

9382 \*Mr. Johnson. Without objection, the reading of the  
9383 bill is dispensed with, and the bill will be open for  
9384 amendment at any point.

9385 So ordered.

9386 [The bill follows:]

9387

9388 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

9389

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9390           \*Mr. Johnson. Does any member wish to speak on the  
9391 bill?

9392           \*Mr. Pence. Mr. Chairman, I move to strike the last  
9393 word.

9394           \*Mr. Johnson. The gentleman from Indiana is recognized  
9395 for five minutes.

9396           \*Mr. Pence. Thank you, Mr. Chairman.

9397           I urge my colleagues to join me in supporting H.R. 1140.  
9398 This bill provides the executive branch with a new and  
9399 important tool to waive burdensome regulations for processors  
9400 or refiners that may serve as an impediment to adequate  
9401 supplies of energy resources, and I quote, "If the  
9402 administrator of the Environmental Protection Agency, in  
9403 consultation with the Secretary of Energy, determines that by  
9404 reason of a sudden increase in demand for or a shortage of a  
9405 critical energy resource or another cause, the processing or  
9406 refining of a critical energy resource at a critical energy  
9407 resource facility is necessary to meet the national security  
9408 or energy security needs of the United States, the  
9409 administrator may issue a temporary waiver of any requirement  
9410 under the Clean Air Act.'"

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9411           And I want to note for some of the amendments that are  
9412 being offered, we have -- we also have "The administrator  
9413 shall ensure that any waiver of a requirement under the Clean  
9414 Air Act does not result in a conflict with a requirement of  
9415 any other applicable state, Federal, or local environmental  
9416 law or regulation, and minimizes any adverse environmental  
9417 impacts.'"

9418           You know, in the event of a supply crisis, this bill  
9419 will ensure that Hoosiers can access the energy resources  
9420 they need.

9421           As expert witnesses have testified before our committee,  
9422 the U.S. is entering the most mineral and metal-intensive era  
9423 in our human history. Meanwhile, the need for more oil and  
9424 gas is only going to grow, which -- we have had many folks  
9425 testify to that.

9426           An increased demand for all types of resources could  
9427 also raise the risk associated with unexpected supply  
9428 disruptions. Given our nation's energy system's heavy  
9429 reliance on foreign imports, adversarial nations could  
9430 exploit our vulnerability, restrict access to critical  
9431 markets, and undermine our national interests.

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9432           The everyday livelihood of Hoosiers in southern Indiana  
9433 should not hinge on the whims of countries that may not share  
9434 our values. By providing temporary regulatory relief to  
9435 processors and refiners of critical resources in an  
9436 emergency, we can leverage American ingenuity to prevent the  
9437 catastrophic impacts of an energy crisis.

9438           Importantly, as I have read from the text, these  
9439 temporary waivers would need to be crafted in the public  
9440 interest in consultation with the Secretary of Energy. These  
9441 common -- this common-sense bill is a critical next step to  
9442 re-establishing American energy dominance and putting our  
9443 nation back on track.

9444           I urge support for this bill, and I yield back.

9445           \*Mr. Johnson. The gentleman yields back. Does anyone  
9446 wish to be recognized to speak on the bill?

9447           Are there any amendments?

9448           For what purpose does the gentleman from California seek  
9449 recognition?

9450           \*Mr. Cardenas. I have an amendment at the desk.

9451           \*Mr. Johnson. The clerk will report the amendment.

9452           \*Mr. Cardenas. FCN01.

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9453           \*The Clerk. Amendment to H.R. 1140, offered by Mr.

9454 Cardenas. Add at the end the following --

9455           \*Mr. Johnson. Without objection, the reading of the  
9456 amendment is dispensed with.

9457           [The amendment of Mr. Cardenas follows:]

9458

9459           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

9460

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9461           \*Mr. Johnson. And the gentleman is recognized for five  
9462 minutes in support of his amendment.

9463           \*Mr. Cardenas. Thank you, Mr. Chairman.

9464           Like most of the bills in today's markup, H.R. 1140  
9465 would waive bedrock environmental laws, specifically the  
9466 Clean Air Act and the Resource Conservation and Recovery Act,  
9467 for vaguely defined "critical energy resource facilities."

9468           My amendment is very simple. It ensures the bill will  
9469 not go into effect until the EPA administrator certifies that  
9470 it will not adversely impact environmental justice  
9471 communities.

9472           Environmental justice communities are -- environmental -  
9473 - but are not -- environmental justice communities are this.  
9474 They -- communities that are low-income communities,  
9475 under-served communities, communities next to highly  
9476 polluting facilities, and communities with poor air quality.  
9477 No, I didn't just describe Texas. Like I pointed out, I just  
9478 described environmental justice communities.

9479           I will be willing to bet that each of us has at least  
9480 one community like this in each one of our districts. And  
9481 why is that? It is because when we didn't know any better as

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9482 a growing amazing economy, we polluted communities and we did  
9483 things unbeknownst to us that it was causing harm not only to  
9484 the people of those communities, but in many cases would  
9485 cause harms for decades to come. But we know better now.

9486 Like I said before, and I will say it again, Members of  
9487 Congress, we have a duty to ensure that all communities we  
9488 represent, even those that have historically been left  
9489 behind, are protected. And as members of this committee, we  
9490 have an obligation to put forth solutions that advance our  
9491 nation's energy independence, while ensuring a healthier  
9492 future for our children and grandchildren, including those  
9493 that live in environmental justice communities. At a bare  
9494 minimum, we should be making sure that the bills we pass  
9495 aren't exacerbating the negative impacts of pollution on  
9496 those most vulnerable among us.

9497 Considering this Administration's commitment to  
9498 environmental justice and equality, we should be taking steps  
9499 to forward and strengthen our nation's critical environmental  
9500 safeguards. My amendment would ensure we fulfill our  
9501 commitment and duty to all of the people in our great  
9502 country, not just some communities. So it is really

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9503 important that we do our best to do our duty, and I believe  
9504 that this amendment is in line with that.

9505 So I urge my colleagues to vote yes on this amendment,  
9506 and no on the underlying bill.

9507 With that, Mr. Chairman, I yield back.

9508 \*Mr. Johnson. The gentleman yields back.

9509 For what purpose does the gentleman seek --

9510 \*Mr. Pence. Mr. Chairman, I wish to speak in opposition  
9511 to the amendment.

9512 \*Mr. Johnson. The gentleman is recognized for five  
9513 minutes.

9514 \*Mr. Pence. Again, in an emergency -- I would like to  
9515 re-read what I read at the beginning -- the administrator  
9516 shall ensure that any waiver of a requirement under the Clean  
9517 Air Act under this subsection, to the maximum extent  
9518 practicable, does not result in a conflict with a requirement  
9519 of any other applicable state, Federal, local, environmental  
9520 law or regulation, and minimizes any adverse impacts in an  
9521 emergency.

9522 With that, I yield back.

9523 \*Mr. Johnson. The gentleman yields back.

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9524           \*Mr. Pence. I urge a no vote on the amendment. I  
9525 yield --

9526           \*Mr. Johnson. The gentleman yields back. Do any other  
9527 members seek to speak on the amendment?

9528           Seeing none, the vote occurs on the amendment.

9529           All those in favor, say aye.

9530           All those opposed say nay.

9531           \*Mr. Pallone. We want a recorded vote.

9532           \*Mr. Johnson. A recorded vote has been requested, and  
9533 the clerk will call the roll.

9534           \*The Clerk. Rodgers?

9535           [No response.]

9536           \*The Clerk. Burgess?

9537           [No response.]

9538           \*The Clerk. Latta?

9539           \*Mr. Latta. [Inaudible.]

9540           \*The Clerk. Latta votes no.

9541           Guthrie?

9542           \*Mr. Guthrie. No.

9543           \*The Clerk. Guthrie votes no.

9544           Griffith?

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9545           \*Mr. Griffith. No.  
9546           \*The Clerk. Griffith votes no.  
9547           Bilirakis?  
9548           [No response.]  
9549           \*The Clerk. Johnson?  
9550           \*Mr. Johnson. No.  
9551           \*The Clerk. Johnson votes no.  
9552           Bucshon?  
9553           \*Mr. Bucshon. No.  
9554           \*The Clerk. Bucshon votes no.  
9555           \*Mr. Bilirakis. [Inaudible.]  
9556           \*The Clerk. Bilirakis votes no.  
9557           Hudson?  
9558           \*Mr. Hudson. No.  
9559           \*The Clerk. Hudson votes no.  
9560           Walberg?  
9561           \*Mr. Walberg. No.  
9562           \*The Clerk. Walberg votes no.  
9563           Carter?  
9564           [No response.]  
9565           \*The Clerk. Duncan?

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9566 \*Mr. Duncan. No.  
9567 \*The Clerk. Duncan votes no.  
9568 Palmer?  
9569 [No response.]  
9570 \*The Clerk. Dunn?  
9571 \*Mr. Dunn. No.  
9572 \*The Clerk. Dunn votes no.  
9573 Curtis?  
9574 [No response.]  
9575 \*The Clerk. Lesko?  
9576 \*Mrs. Lesko. [Inaudible.]  
9577 \*The Clerk. Lesko votes no.  
9578 Pence?  
9579 \*Mr. Pence. No.  
9580 \*The Clerk. Pence votes no.  
9581 Crenshaw?  
9582 [No response.]  
9583 \*The Clerk. Joyce?  
9584 \*Mr. Joyce. No.  
9585 \*The Clerk. Joyce votes no.  
9586 Armstrong?

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9587 \*Mr. Armstrong. No.  
9588 \*The Clerk. Armstrong votes no.  
9589 Weber?  
9590 [No response.]  
9591 \*The Clerk. Allen?  
9592 \*Mr. Allen. No.  
9593 \*The Clerk. Allen votes no.  
9594 Balderson?  
9595 \*Mr. Balderson. [Inaudible.]  
9596 \*The Clerk. Balderson votes no.  
9597 Fulcher?  
9598 \*Mr. Fulcher. [Inaudible.]  
9599 \*The Clerk. Fulcher votes no.  
9600 Pfluger?  
9601 \*Mr. Pfluger. No.  
9602 \*The Clerk. Pfluger votes no.  
9603 Harshbarger?  
9604 \*Mrs. Harshbarger. [Inaudible.]  
9605 \*The Clerk. Harshbarger votes no.  
9606 Miller-Meeks?  
9607 \*Mrs. Miller-Meeks. [Inaudible.]

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9608 \*The Clerk. Miller-Meeks votes no.

9609 Cammack?

9610 \*Mrs. Cammack. [Inaudible.]

9611 \*The Clerk. Cammack votes no.

9612 Obernolte?

9613 \*Mr. Obernolte. [Inaudible.]

9614 \*The Clerk. Obernolte votes no.

9615 Pallone?

9616 \*Mr. Pallone. Votes aye.

9617 \*The Clerk. Pallone votes aye.

9618 Eshoo?

9619 \*Ms. Eshoo. [Inaudible.]

9620 \*The Clerk. Eshoo votes aye.

9621 DeGette?

9622 \*Ms. DeGette. DeGette votes aye.

9623 \*The Clerk. DeGette votes aye.

9624 Schakowsky?

9625 \*Ms. Schakowsky. Aye.

9626 \*The Clerk. Schakowsky votes aye.

9627 Matsui?

9628 \*Ms. Matsui. Aye.

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9629           \*The Clerk. Matsui votes aye.  
9630           Castor?  
9631           \*Ms. Castor. [Inaudible.]  
9632           \*The Clerk. Castor votes aye.  
9633           Sarbanes?  
9634           \*Mr. Sarbanes. [Inaudible.]  
9635           \*The Clerk. Sarbanes votes aye.  
9636           Tonko?  
9637           \*Mr. Tonko. Aye.  
9638           \*The Clerk. Tonko votes aye.  
9639           Clarke?  
9640           \*Ms. Clarke. Aye.  
9641           \*The Clerk. Clarke votes aye.  
9642           Cardenas?  
9643           \*Mr. Cardenas. Aye.  
9644           \*The Clerk. Cardenas votes aye.  
9645           Ruiz?  
9646           \*Mr. Ruiz. Aye.  
9647           \*The Clerk. Ruiz votes aye.  
9648           Peters?  
9649           \*Mr. Peters. [Inaudible.]

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9650           \*The Clerk. Peters votes aye.  
9651           Dingell?  
9652           [No response.]  
9653           \*The Clerk. Veasey?  
9654           \*Mr. Veasey. Aye.  
9655           \*The Clerk. Veasey votes aye.  
9656           Kuster?  
9657           \*Ms. Kuster. Aye.  
9658           \*The Clerk. Kuster votes aye.  
9659           Kelly?  
9660           \*Ms. Kelly. Aye.  
9661           \*The Clerk. Kelly votes aye.  
9662           Barragan?  
9663           \*Ms. Barragan. Aye.  
9664           \*The Clerk. Barragan votes aye.  
9665           Blunt Rochester?  
9666           \*Ms. Blunt Rochester. Aye.  
9667           \*The Clerk. Blunt Rochester votes aye.  
9668           Soto?  
9669           \*Mr. Soto. Aye.  
9670           \*The Clerk. Soto votes aye.

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9671 Craig?  
9672 \*Ms. Craig. Aye.  
9673 \*The Clerk. Craig votes aye.  
9674 Schrier?  
9675 [No response.]  
9676 \*The Clerk. Trahan?  
9677 \*Mrs. Trahan. [Inaudible.]  
9678 \*The Clerk. Trahan votes aye.  
9679 Fletcher?  
9680 \*Mrs. Fletcher. Aye.  
9681 \*The Clerk. Fletcher votes aye.  
9682 Chair Rodgers is not recorded.  
9683 \*The Chair. Rodgers votes no.  
9684 \*The Clerk. Rodgers votes no.  
9685 \*Mr. Johnson. Are there other members seeking -- what -  
9686 - how is Mr. Weber --  
9687 \*The Clerk. Mr. Weber is not recorded.  
9688 \*Mr. Johnson. Weber votes no.  
9689 \*The Clerk. Weber votes no.  
9690 \*Mr. Johnson. Are there other members seeking to be  
9691 recorded?

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9692 The clerk will report.

9693 [Pause.]

9694 \*The Clerk. Mr. Johnson, on that vote we have 21 ayes  
9695 and 24 noes.

9696 \*Mr. Johnson. The noes have it, and the amendment is  
9697 not adopted.

9698 Are there other amendments?

9699 For what purpose does the gentlelady seek recognition?

9700 \*Ms. Blunt Rochester. Thank you, Mr. Chairman. I have  
9701 an amendment at the desk labeled 1140FCN\_02.

9702 \*Mr. Johnson. The clerk will report the amendment.

9703 \*The Clerk. Amendment to H.R. 1140, offered by Ms.  
9704 Blunt Rochester.

9705 \*Mr. Johnson. Without objection, the reading of the  
9706 amendment is dispensed with.

9707 [The amendment of Ms. Blunt Rochester follows:]

9708

9709 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

9710

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9711           \*Mr. Johnson. And the gentlelady is recognized for five  
9712 minutes in support of her amendment.

9713           \*Ms. Blunt Rochester. The amendment I am offering will  
9714 place public notice and community engagement requirements  
9715 back into the waiver approval process.

9716           For generations, low-income communities and communities  
9717 of color have been subjected to unsafe environmental  
9718 practices, and have suffered severe health consequences  
9719 because of it. H.R. 1140 would impede key community-level  
9720 knowledge from getting to our Federal agencies, and silence  
9721 the voices of our frontline and fence line communities. My  
9722 amendment will ensure public engagement continues as a  
9723 Federal practice authorized through the Clean Air Act and the  
9724 Resource Conservation and Recovery Act.

9725           I am offering this amendment because government is a  
9726 partnership between us and the people we serve, and we need  
9727 to empower the voices of our communities because they are a  
9728 vital partner in ensuring our policies best address their  
9729 needs. Public engagement provides critical information, and  
9730 is a practice that creates not only accountability but better  
9731 and more equitable policy outcomes.

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9732           This bill would not only take away the right of our  
9733 communities to know what they are breathing, but also  
9734 eliminate important data, a lack of which will create poor  
9735 regulatory policy and lead to greater environmental  
9736 injustice.

9737           These are also public health and economic issues, as  
9738 well. Communities around our country deserve an ability to  
9739 advocate for themselves to make their voices heard, and  
9740 deserve a Federal Government that will hear their voices,  
9741 take those concerns seriously, and create policy that leaves  
9742 no community behind.

9743           I hope my colleagues on both sides of the aisle will  
9744 vote yes, and I yield back.

9745           \*Mr. Johnson. The gentlelady yields back.

9746           For what purpose does the gentleman from Indiana --

9747           \*Mr. Pence. Mr. Chairman, I wish to speak in opposition  
9748 to the amendment.

9749           \*Mr. Johnson. The gentleman is recognized for five  
9750 minutes.

9751           \*Mr. Pence. And I will repeat that, on these messaging  
9752 bills, that this is a temporary waiver in an emergency that

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9753 does not result in a conflict with a requirement of any other  
9754 applicable Federal, state, or local environmental law or  
9755 regulation, and minimizes any adverse environmental impact in  
9756 conjunction between the EPA and the Secretary of Energy.

9757 I urge a no vote on the amendment, and I yield back.

9758 \*Mr. Johnson. The gentleman yields back. Does any --  
9759 do any other members seek recognition to speak on the bill or  
9760 the amendment?

9761 Seeing none, and there being no further discussion, the  
9762 vote occurs on the amendment.

9763 All those in favor shall signify by saying aye.

9764 All those opposed, nay.

9765 \*Mr. Pallone. We want a roll call.

9766 \*Mr. Johnson. And a roll call vote has been requested,  
9767 so the clerk will call the roll.

9768 \*The Clerk. Rodgers?

9769 \*The Chair. No.

9770 \*The Clerk. Rodgers votes no.

9771 Burgess?

9772 \*Mr. Burgess. [Inaudible.]

9773 \*The Clerk. Burgess votes no.

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9774 Latta?  
9775 \*Mr. Latta. [Inaudible.]  
9776 \*The Clerk. Latta votes no.  
9777 Guthrie?  
9778 \*Mr. Guthrie. No.  
9779 \*The Clerk. Guthrie votes no.  
9780 Griffith?  
9781 \*Mr. Griffith. No.  
9782 \*The Clerk. Griffith votes no.  
9783 Bilirakis?  
9784 \*Mr. Bilirakis. No.  
9785 \*The Clerk. Bilirakis votes no.  
9786 Johnson?  
9787 \*Mr. Johnson. No.  
9788 \*The Clerk. Johnson votes no.  
9789 Bucshon?  
9790 \*Mr. Bucshon. No.  
9791 \*The Clerk. Bucshon votes no.  
9792 Hudson?  
9793 \*Mr. Hudson. No.  
9794 \*The Clerk. Hudson votes no.

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9795 Walberg?  
9796 \*Mr. Walberg. [Inaudible.]  
9797 \*The Clerk. Walberg votes no.  
9798 Carter?  
9799 \*Mr. Carter. No.  
9800 \*The Clerk. Carter votes no.  
9801 Duncan?  
9802 \*Mr. Duncan. No.  
9803 \*The Clerk. Duncan votes no.  
9804 Palmer?  
9805 [No response.]  
9806 \*The Clerk. Dunn?  
9807 \*Mr. Dunn. No.  
9808 \*The Clerk. Dunn votes no.  
9809 Curtis?  
9810 [No response.]  
9811 \*The Clerk. Lesko?  
9812 \*Mrs. Lesko. No.  
9813 \*The Clerk. Lesko votes no.  
9814 Pence?  
9815 \*Mr. Pence. No.

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9816           \*The Clerk. Pence votes no.  
9817           Crenshaw?  
9818           [No response.]  
9819           \*The Clerk. Joyce?  
9820           \*Mr. Joyce. No.  
9821           \*The Clerk. Joyce votes no.  
9822           Armstrong?  
9823           \*Mr. Armstrong. No.  
9824           \*The Clerk. Armstrong votes no.  
9825           Weber?  
9826           [No response.]  
9827           \*The Clerk. Allen?  
9828           \*Mr. Allen. No.  
9829           \*The Clerk. Allen votes no.  
9830           Balderson?  
9831           \*Mr. Balderson. [Inaudible.]  
9832           \*The Clerk. Balderson votes no.  
9833           Fulcher?  
9834           \*Mr. Fulcher. Fulcher, no.  
9835           \*The Clerk. Fulcher votes no.  
9836           Pfluger?

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9837 \*Mr. Pfluger. No.  
9838 \*The Clerk. Pfluger votes no.  
9839 Harshbarger?  
9840 \*Mrs. Harshbarger. [Inaudible.]  
9841 \*The Clerk. Harshbarger votes no.  
9842 Miller-Meeks?  
9843 \*Mrs. Miller-Meeks. No.  
9844 \*The Clerk. Miller-Meeks votes no.  
9845 Cammack?  
9846 \*Mrs. Cammack. No.  
9847 \*The Clerk. Cammack votes no.  
9848 Obernolte?  
9849 \*Mr. Obernolte. [Inaudible.]  
9850 \*The Clerk. Obernolte votes no.  
9851 Pallone?  
9852 \*Mr. Pallone. Aye.  
9853 \*The Clerk. Pallone votes aye.  
9854 Eshoo?  
9855 \*Ms. Eshoo. Votes aye.  
9856 \*The Clerk. Eshoo votes aye.  
9857 DeGette?

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

9858 \*Ms. DeGette. Aye.  
9859 \*The Clerk. DeGette votes aye.  
9860 Schakowsky?  
9861 [No response.]  
9862 \*The Clerk. Matsui?  
9863 \*Ms. Matsui. Aye.  
9864 \*The Clerk. Matsui votes aye.  
9865 Castor?  
9866 \*Ms. Castor. [Inaudible.]  
9867 \*The Clerk. Castor votes aye.  
9868 Sarbanes?  
9869 \*Mr. Sarbanes. [Inaudible.]  
9870 \*The Clerk. Sarbanes votes aye.  
9871 Tonko?  
9872 \*Mr. Tonko. Aye.  
9873 \*The Clerk. Tonko votes aye.  
9874 Clarke?  
9875 \*Ms. Clarke. Aye.  
9876 \*The Clerk. Clarke votes aye.  
9877 Cardenas?  
9878 \*Mr. Cardenas. Yes.

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9879           \*The Clerk. Cardenas votes aye.  
9880           Ruiz?  
9881           \*Mr. Ruiz. Aye.  
9882           \*The Clerk. Ruiz votes aye.  
9883           Peters?  
9884           \*Mr. Peters. [Inaudible.]  
9885           \*The Clerk. Peters votes aye.  
9886           Dingell?  
9887           [No response.]  
9888           \*The Clerk. Veasey?  
9889           \*Mr. Veasey. Aye.  
9890           \*The Clerk. Veasey votes aye.  
9891           Kuster?  
9892           \*Ms. Kuster. Aye.  
9893           \*The Clerk. Kuster votes aye.  
9894           Kelly?  
9895           \*Ms. Kelly. Aye.  
9896           \*The Clerk. Kelly votes aye.  
9897           Barragan?  
9898           \*Ms. Barragan. Aye.  
9899           \*The Clerk. Barragan votes aye.

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9900 Blunt Rochester?  
9901 \*Ms. Blunt Rochester. Aye.  
9902 \*The Clerk. Blunt Rochester votes aye.  
9903 Soto?  
9904 \*Mr. Soto. Aye.  
9905 \*The Clerk. Soto votes aye.  
9906 Craig?  
9907 \*Ms. Craig. Aye.  
9908 \*The Clerk. Craig votes aye.  
9909 Schrier?  
9910 [No response.]  
9911 \*The Clerk. Trahan?  
9912 \*Mrs. Trahan. [Inaudible.]  
9913 \*The Clerk. Trahan votes aye.  
9914 Fletcher?  
9915 \*Mrs. Fletcher. Aye.  
9916 \*The Clerk. Fletcher votes aye.  
9917 \*Mr. Curtis. How is Curtis recorded?  
9918 \*The Clerk. Mr. Curtis is not recorded.  
9919 \*Mr. Curtis. Curtis votes no.  
9920 \*The Clerk. Curtis votes no.

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9921 \*The Chair. [Presiding] Mr. Weber?  
9922 \*The Clerk. Mr. Weber is not recorded.  
9923 \*Mr. Weber. Mr. Weber votes no with Mr. Curtis.  
9924 \*The Clerk. Weber votes no.  
9925 \*The Chair. How is Mr. Crenshaw recorded?  
9926 \*The Clerk. Mr. Crenshaw is not recorded.  
9927 \*Mr. Crenshaw. Crenshaw votes no.  
9928 \*The Clerk. Crenshaw votes no.  
9929 \*The Chair. How is Ms. Schakowsky --  
9930 \*The Clerk. Ms. Schakowsky is not recorded.  
9931 \*Ms. Schakowsky. Yes.  
9932 \*The Clerk. Schakowsky votes aye.  
9933 [Pause.]  
9934 \*The Chair. The clerk will report.  
9935 \*The Clerk. Chair Rodgers, on that vote we have 21 ayes  
9936 and 28 noes.  
9937 \*The Chair. The noes have it, and the amendment is not  
9938 agreed to.  
9939 Are there further amendments?  
9940 \*Mr. Pallone. No, right? We just go to final.  
9941 \*The Chair. Oh, good. The question now occurs on

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9942 approving H.R. 1140, as amended.

9943 All those in favor -- we will do a recorded vote on  
9944 final passage here of H.R. 1140, as amended. The clerk will  
9945 call the roll.

9946 \*The Clerk. Rodgers?

9947 \*The Chair. Aye.

9948 \*The Clerk. Rodgers votes aye.

9949 Burgess?

9950 \*Mr. Burgess. Votes aye.

9951 \*The Clerk. Burgess votes aye.

9952 Latta?

9953 \*Mr. Latta. Aye.

9954 \*The Clerk. Latta votes aye.

9955 Guthrie?

9956 \*Mr. Guthrie. Aye.

9957 \*The Clerk. Guthrie votes aye.

9958 Griffith?

9959 \*Mr. Griffith. [Inaudible.]

9960 \*The Clerk. Griffith votes aye.

9961 Bilirakis?

9962 \*Mr. Bilirakis. Aye.

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9963           \*The Clerk. Bilirakis votes aye.  
9964           Johnson?  
9965           \*Mr. Johnson. Aye.  
9966           \*The Clerk. Johnson votes aye.  
9967           Bucshon?  
9968           \*Mr. Bucshon. Aye.  
9969           \*The Clerk. Bucshon votes aye.  
9970           Hudson?  
9971           \*Mr. Hudson. Aye.  
9972           \*The Clerk. Hudson votes aye.  
9973           Walberg?  
9974           \*Mr. Walberg. Aye.  
9975           \*The Clerk. Walberg votes aye.  
9976           Carter?  
9977           \*Mr. Carter. Aye.  
9978           \*The Clerk. Carter votes aye.  
9979           Duncan?  
9980           \*Mr. Duncan. Aye.  
9981           \*The Clerk. Duncan votes aye.  
9982           Palmer?  
9983           [No response.]

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9984           \*The Clerk.   Dunn?  
9985           \*Mr. Dunn.    Aye.  
9986           \*The Clerk.   Dunn votes aye.  
9987           Curtis?  
9988           \*Mr. Curtis.  Aye.  
9989           \*The Clerk.   Curtis votes aye.  
9990           Lesko?  
9991           \*Mrs. Lesko.  Aye.  
9992           \*The Clerk.   Lesko votes aye.  
9993           Pence?  
9994           \*Mr. Pence.   Aye.  
9995           \*The Clerk.   Pence votes aye.  
9996           Crenshaw?  
9997           \*Mr. Crenshaw. Aye.  
9998           \*The Clerk.   Crenshaw votes aye.  
9999           Joyce?  
10000          \*Mr. Joyce.   Aye.  
10001          \*The Clerk.   Joyce votes aye.  
10002          Armstrong?  
10003          \*Mr. Armstrong. Yes.  
10004          \*The Clerk.   Armstrong votes aye.

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10005 Weber?  
10006 [No response.]  
10007 \*The Clerk. Allen?  
10008 \*Mr. Allen. Aye.  
10009 \*The Clerk. Allen votes aye.  
10010 Balderson?  
10011 \*Mr. Balderson. Aye.  
10012 \*The Clerk. Balderson votes aye.  
10013 Fulcher?  
10014 \*Mr. Fulcher. Fulcher is aye.  
10015 \*The Clerk. Fulcher votes aye.  
10016 Pfluger?  
10017 \*Mr. Pfluger. Aye.  
10018 \*The Clerk. Pfluger votes aye.  
10019 Harshbarger?  
10020 \*Mrs. Harshbarger. [Inaudible.]  
10021 \*The Clerk. Harshbarger votes aye.  
10022 Miller-Meeks?  
10023 \*Mrs. Miller-Meeks. Aye.  
10024 \*The Clerk. Miller-Meeks votes aye.  
10025 Cammack?

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10026            \*Mrs. Cammack.    Aye.  
10027            \*The Clerk.    Cammack votes aye.  
10028            Obernolte?  
10029            \*Mr. Obernolte.    Aye.  
10030            \*The Clerk.    Obernolte votes aye.  
10031            Pallone?  
10032            \*Mr. Pallone.    No.  
10033            \*The Clerk.    Pallone votes no.  
10034            Eshoo?  
10035            \*Ms. Eshoo.    No.  
10036            \*The Clerk.    Eshoo votes no.  
10037            DeGette?  
10038            \*Ms. DeGette.    DeGette votes no.  
10039            \*The Clerk.    DeGette votes no.  
10040            Schakowsky?  
10041            \*Ms. Schakowsky.    No.  
10042            \*The Clerk.    Schakowsky votes no.  
10043            Matsui?  
10044            \*Ms. Matsui.    No.  
10045            \*The Clerk.    Matsui votes no.  
10046            Castor?

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10047 \*Ms. Castor. No.  
10048 \*The Clerk. Castor votes no.  
10049 Sarbanes?  
10050 \*Mr. Sarbanes. No.  
10051 \*The Clerk. Sarbanes votes no.  
10052 Tonko?  
10053 \*Mr. Tonko. No.  
10054 \*The Clerk. Tonko votes no.  
10055 Clarke?  
10056 \*Ms. Clarke. No.  
10057 \*The Clerk. Clarke votes no.  
10058 Cardenas?  
10059 \*Mr. Cardenas. No.  
10060 \*The Clerk. Cardenas votes no.  
10061 Ruiz?  
10062 \*Mr. Ruiz. No.  
10063 \*The Clerk. Ruiz votes no.  
10064 Peters?  
10065 \*Mr. Peters. [Inaudible.]  
10066 \*The Clerk. Peters votes no.  
10067 Dingell?

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10068 [No response.]  
10069 \*The Clerk. Veasey?  
10070 \*Mr. Veasey. No.  
10071 \*The Clerk. Veasey votes no.  
10072 Kuster?  
10073 \*Ms. Kuster. No.  
10074 \*The Clerk. Kuster votes no.  
10075 Kelly?  
10076 \*Ms. Kelly. No.  
10077 \*The Clerk. Kelly votes no.  
10078 Barragan?  
10079 \*Ms. Barragan. No.  
10080 \*The Clerk. Barragan votes no.  
10081 Blunt Rochester?  
10082 \*Ms. Blunt Rochester. [Inaudible.]  
10083 \*The Clerk. Blunt Rochester votes no.  
10084 Soto?  
10085 \*Mr. Soto. No.  
10086 \*The Clerk. Soto votes no.  
10087 Craig?  
10088 \*Ms. Craig. No.

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10089           \*The Clerk. Craig votes no.  
10090           Schrier?  
10091           [No response.]  
10092           \*The Clerk. Trahan?  
10093           \*Mrs. Trahan. [Inaudible.]  
10094           \*The Clerk. Trahan votes no.  
10095           Fletcher?  
10096           \*Mrs. Fletcher. No.  
10097           \*The Clerk. Fletcher votes no.  
10098           \*The Chair. Any other members seeking to be recorded?  
10099           \*Mr. Weber. How is Weber recorded?  
10100           \*The Clerk. Mr. Weber is not recorded.  
10101           \*Mr. Weber. Weber votes aye.  
10102           \*The Clerk. Weber votes aye.  
10103           [Pause.]  
10104           \*The Clerk. Chair --  
10105           \*The Chair. The clerk will report.  
10106           \*The Clerk. Chair Rodgers, on that vote we have 28 ayes  
10107           and 21 noes.  
10108           \*The Chair. The ayes have it, and the bill is adopted.  
10109           The chair calls up H.R. 1158, and asks the clerk to

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10110 report.

10111 \*The Clerk. H.R. 1158, to amend the Toxic Substances  
10112 Control Act with respect to new critical energy resources,  
10113 and for other purposes.

10114 \*The Chair. Without objection, the first reading of the  
10115 bill is suspended with, and the bill will be open for  
10116 amendment at any point.

10117 So ordered.

10118 [The bill follows:]

10119

10120 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

10121

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10122           \*The Chair. Does anyone seek to be recognized on the  
10123 bill?

10124           For what purpose does the gentleman from Utah seek  
10125 recognition?

10126           \*Mr. Curtis. Madam Chair, I request to strike the last  
10127 word to speak on the amendment.

10128           \*The Chair. The gentleman, Mr. Curtis, is recognized  
10129 for five minutes to --

10130           \*Mr. Curtis. Thank you.

10131           \*The Chair. -- to strike the last word.

10132           \*Mr. Curtis. Thank you. I would like to kind of start  
10133 at a 30,000-foot view with the Elimination of Future  
10134 Technology Delays Act. The bill deals a lot with how we deal  
10135 with risk, and how we interpret risk. And I would like to  
10136 point out, for those who feel like no risk is ever  
10137 acceptable, that we all drive an automobile, we put a  
10138 seatbelt on, and there is a risk of an accident. Yet that is  
10139 an acceptable risk. Some actually drive an automobile  
10140 without a seatbelt, and text, and that is an unacceptable  
10141 risk. And I think this bill tries to find the right place  
10142 between what is an appropriate risk and what is not.

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10143           Also, I would like to, as we start talking about this,  
10144 tie this into renewables, all right? Many of my colleagues  
10145 and my Democratic colleagues support the fact that we want to  
10146 enhance our renewables. There is a risk that lithium  
10147 batteries can explode, wind turbines can kill birds, solar  
10148 panels can catch fire. However, the benefits of these  
10149 technologies outweigh the risk.

10150           This brings me to the bill today, the Elimination of  
10151 Future Technology Delays Act. H.R. 1158 focuses only on the  
10152 unreasonable risk approach to critical energy resources,  
10153 those that DoE has determined are essential for the energy  
10154 sector and energy system, and for which the supply chain is  
10155 vulnerable to disruption.

10156           If you believe reducing carbon emissions by technology  
10157 innovation is important, this bill is for you. The bill  
10158 prevents EPA from proactively asking a new technology maker  
10159 to suspend or withdraw their application, unless EPA has  
10160 first reviewed their notice. That sounds pretty reasonable.

10161           Recently, GAO found that EPA missed 100 percent of  
10162 statutory deadlines for new chemical reviews. This is on the  
10163 top of the fact that it takes EPA three times the legal limit

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10164 to make any decision. This creates an obvious loophole:  
10165 make these products overseas, and ship them to the United  
10166 States as the alternative. Not only is failure to act slowly  
10167 our ability to combat climate -- is slowly impacting our  
10168 ability to work on climate change, it is shipping American  
10169 jobs overseas.

10170 This bill would not prevent EPA from considering risks  
10171 to human health and the environment, as it makes no changes  
10172 to EPA's statutory review, determination and risk management  
10173 standards. Therefore, this bill would not prevent EPA from  
10174 looking at unreasonable risks to potentially exposed  
10175 populations.

10176 It prevents the kind of no-risk perspective currently at  
10177 EPA that threatens to de-industrialize America and threaten  
10178 our high standard of living.

10179 It also stops EPA from bullying an innovator into  
10180 forfeiting a timely review and its fees paid by that company.

10181 EPA should not be compensated for poor performance.  
10182 They should meet the law's deadlines, and without  
10183 intimidating others, particularly when the companies  
10184 themselves are funding the process.

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10185 I urge my colleagues to support this bill, and I yield  
10186 my time.

10187 \*The Chair. The gentleman yields back. Is there  
10188 further discussion on the bill?

10189 \*Mr. Burgess. Madam --

10190 \*The Chair. The gentleman -- oh, the gentleman from  
10191 Georgia, Mr. Carter, is recognized for five minutes.

10192 \*Mr. Carter. Madam Chair, I would like to strike the  
10193 last word in support of H.R. 1158, introduced by my friend  
10194 from Utah.

10195 This legislation only covers chemical substances that  
10196 are a critical energy resource that the Secretary of Energy  
10197 has determined is essential to the United States energy  
10198 sector and systems whose supply chain is vulnerable to  
10199 disruption. If the chemical substance is not a critical  
10200 energy resource, these provisions do not apply.

10201 This bill does not prevent the EPA from deciding on new  
10202 chemicals and new uses of a chemical. That mandate still  
10203 applies to EPA.

10204 This bill does not force EPA to approve chemicals  
10205 regardless of their toxicity. EPA has its full complement of

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10206 authority to make determinations and regulate new chemicals  
10207 and new uses.

10208 This bill makes no changes to the fact that EPA, under  
10209 statute, still must assess for the existence of and  
10210 adequately control an unreasonable risk to a potentially  
10211 exposed or susceptible population identified by EPA.

10212 This bill also does not change that a potentially  
10213 exposed or susceptible population is broadly defined in TSCA.

10214 This bill does not put corporate profits over the public  
10215 interest, because the substance is critical. The bill asks  
10216 EPA to consider the economic, societal, and environmental  
10217 costs and benefits. If a substance could cost effectively  
10218 address climate change, address our urban heat islands, do  
10219 you want that factor ignored or killed due to theoretical  
10220 risk?

10221 In addition, existing TSCA section 5 authority removes  
10222 excuses for blowing deadlines and not deciding, yet EPA is  
10223 becoming increasingly proficient at it. If EPA is stuck  
10224 because it needs more information, the EPA can stop the clock  
10225 to order it. This bill does not change that feature.

10226 EPA has been missing deadlines, and this bill also

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10227 prevents EPA from leaning on applicants to withdraw their  
10228 notices because after six months EPA couldn't bother to see  
10229 what the applicant wanted to make. This bill says when you  
10230 have the information to decide, do it. Don't stall. Don't  
10231 avoid it. Don't lean on the applicant to withdraw. Don't  
10232 make excuses. Just do it.

10233 Finally, to those that point to GOP votes for this final  
10234 TSCA bill, this committee unanimously -- and the House, with  
10235 398 votes -- originally passed TSCA reform without any  
10236 changes to new chemical programs to avoid this very mess.

10237 We cannot move forward until we can better balance  
10238 benefits and risks. We cannot continue to be paralyzed by  
10239 the fact risks exist. As my colleagues have pointed out many  
10240 times, we have ways of mitigating risk, and we will do just  
10241 that.

10242 Thank you, Madam Chair, and I yield back.

10243 \*The Chair. The gentleman yields back. Is there  
10244 further discussion on the bill?

10245 The gentleman from South Carolina is recognized for five  
10246 minutes.

10247 \*Mr. Duncan. Thank you, Madam Chair. It has been a

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10248 long day. I want to thank the gentleman for this. I move to  
10249 strike the last word and speak in favor of the bill.

10250 \*The Chair. The gentleman is recognized.

10251 \*Mr. Duncan. The technology we need to take us into the  
10252 future have not been invented. What has been invented are  
10253 the technologies to make electric vehicles work.

10254 I remember a hearing that we had, and we had the CEO or  
10255 a high-ranking official from Ford Motor Company sitting at  
10256 that table right there. And I asked him, with this rush to  
10257 green and this push for EVs, what is going to happen at the  
10258 end of life of these batteries? We all know the tremendous  
10259 cost to the consumer of having to replace the battery systems  
10260 that make EVs work. When those batteries fail to hold a  
10261 charge and need to be replaced, there has been spent a lot of  
10262 money to replace the batteries. But what happens to the  
10263 batteries they take out of that car? Who has got the  
10264 liability for the cleanup? Because these are highly toxic.

10265 We dealt with Superfund sites in this nation. I dealt  
10266 with it in the state legislature. We have dealt with it in  
10267 Congress. It has been a tremendous burden and cost to the  
10268 taxpayers of America. There will be toxic dead batteries

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10269 that will be disposed of by someone. Now, does the  
10270 manufacturer take those batteries back and resulting -- have  
10271 a resulting cleanup of those batteries, recycling or  
10272 whatever?

10273 Ford couldn't answer the question. He said, "We will  
10274 deal with that later."

10275 I said, "No, we can't deal with that later. We have got  
10276 to deal with it today, especially at the rate that we see  
10277 electric vehicles being manufactured in this country and  
10278 around the globe." Toxic substances that need to be  
10279 disposed of in a responsible manner. Technology needs to be  
10280 developed today. And a lot of the things that this bill  
10281 deals with will probably helping in that recycling. But we  
10282 are not there yet.

10283 My fear is that that consumer will dispose of those  
10284 batteries themselves, because the manufacturer won't take  
10285 those batteries back. They either dispose of them on their  
10286 property, or throw them in the ditch on the way to the  
10287 landfill, or throw them in the landfill themselves. And then  
10288 you have a Superfund site. Or they stack them in a closet on  
10289 the ground floor of a condominium complex that they live in,

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10290 and then we have an inclement event like a hurricane that  
10291 puts salt water into that closet, and creates a fire where  
10292 there might be children living upstairs in another apartment  
10293 that get caught up in that fire.

10294           Where does the liability fall at that point? Is it with  
10295 the manufacturer, or is it with that car owner that replaced  
10296 his battery? Is with the battery manufacturer? Is it with  
10297 the state? Ultimately, is it going to be with the taxpayers?  
10298 These are things we have to think about.

10299           I want to look -- talk about the forward-thinking of  
10300 this bill, and I think it is very well-founded, and I support  
10301 it. But we have got to do more, especially in the recycling  
10302 and end-of-life process for these batteries, because it is  
10303 coming, and the price tag could be coming due for my  
10304 constituents. And I don't want to pay for landfill Superfund  
10305 cleanup sites in Indiana or wherever they may be. I am not  
10306 -- Indiana just happened to come to mind, I don't want  
10307 anybody to get mad at me there. But ultimately, taxpayers  
10308 have to pay for that.

10309           We can deal with this now. We can deal with this today,  
10310 and we need to deal with it yesterday.

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10311 And with that, I yield back.

10312 \*The Chair. Is there further discussion on the bill?

10313 \*Mr. Johnson. Madam Chair?

10314 \*The Chair. The gentleman from Ohio, for what purpose  
10315 do you seek recognition?

10316 \*Mr. Johnson. Madam Chair, I seek to strike the last  
10317 word in support of the bill.

10318 \*The Chair. The gentleman is recognized for five  
10319 minutes.

10320 \*Mr. Johnson. Section 2 of TSCA states two things.  
10321 First, it is the United States policy that authority over  
10322 chemicals should not unduly impede nor create unnecessary  
10323 economic barriers to technological innovation. Second,  
10324 Congress intends TSCA to be implemented in a "reasonable and  
10325 prudent manner," and EPA must consider "the environmental,  
10326 economic, and social impact of any action the administrator  
10327 takes or proposes to take."

10328 Unfortunately for new chemicals, what the statute says  
10329 and what EPA does could not be more different. TSCA prevents  
10330 innovation without EPA permission, and the law requires EPA  
10331 to decide in 90 days, or 180 days if the EPA needs time. Yet

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10332 data shows that the EPA is dragging its feet to make  
10333 decisions, considers risks of any magnitude to be  
10334 unreasonable, that all conditions of use are foreseeable,  
10335 regardless of likelihood, and is getting worse with no real  
10336 effort to change.

10337 GAO recently noted EPA is getting -- has been getting  
10338 worse with time, with a dramatic spike in inefficiency coming  
10339 in the last 2 years: 79 percent of reviews didn't meet the  
10340 mark, and 100 percent failed last year.

10341 I know some of my colleagues claim that more money in  
10342 government bodies can solve the issue, or the fault lies with  
10343 the innovators, not the government. This disregard for  
10344 American innovators has real consequences.

10345 New pre-manufacturing notices have dropped by almost  
10346 two-thirds in the last seven years. Domestic research and  
10347 development on new products dropped by 80 percent from 2019  
10348 to 2021, a loss of at least 6.2 billion in U.S. gross  
10349 domestic product is expected if nothing is done. Jobs and  
10350 innovation are moving overseas. We need a course correction  
10351 now, Madam Chair.

10352 This legislation will right some serious flaws and

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10353 provide durable relief. It does not undermine the EPA's  
10354 authority to review submissions. And again, I urge support  
10355 for the bill and a more sustained effort to help American  
10356 innovation.

10357 And with that, I will yield back.

10358 \*The Chair. The gentleman yields back. Is there  
10359 further discussion on the bill?

10360 \*Mr. Pallone. There are no amendments?

10361 \*The Chair. Are there any bipartisan amendments?  
10362 Are there other amendments?

10363 \*Mr. Pallone. Partisan amendment.

10364 \*The Chair. How about we -- how about -- okay, how  
10365 about we break? Okay, we will come back and do the  
10366 amendments immediately following the votes on the floor.

10367 So the committee is at recess for the purpose of votes  
10368 on the floor, and we will return after that to debate the  
10369 amendments.

10370 [Recess.]

10371 \*The Chair. The committee will come to order. We are  
10372 going to continue consideration on H.R. 1158. We were  
10373 getting started on amendments.

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10374 Are there any bipartisan amendments? I already asked  
10375 that.

10376 Are there amendments to 1158?

10377 For what purpose does the lady, Ms. Clarke, seek  
10378 recognition?

10379 \*Ms. Clarke. Madam Chairwoman, I would like to strike  
10380 the last word.

10381 \*The Chair. The lady is recognized for five minutes to  
10382 strike the last word.

10383 \*Ms. Clarke. Madam Chair, I have an amendment at the  
10384 desk.

10385 \*The Chair. The clerk will report the amendment.

10386 \*Ms. Clarke. Yes, it is titled 1158 FCN-01.

10387 \*The Clerk. Amendment to H.R. 1158, offered by Ms.  
10388 Clarke. Add at the end the following: non-application to  
10389 PFAS. Notwithstanding subparagraph D, this paragraph shall  
10390 not apply with respect to any chemical substance that is a  
10391 perfluoroalkyl or polyfluoroalkyl substance.

10392 \*Ms. Clarke. I hate when that happens.

10393 \*Mrs. Lesko. It is PFAS.

10394 \*Mr. Curtis. This is where the chair says, "You don't

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10395 need to read that.''

10396 [Laughter.]

10397 \*The Chair. Okay, sorry. Without objection, the  
10398 reading of the amendment is dispensed.

10399 [The amendment of Ms. Clarke follows:]

10400

10401 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

10402

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10403           \*The Chair. The lady is recognized for five minutes on  
10404 her --

10405           \*Ms. Clarke. Thank you, Madam Chair.

10406           This bill creates an unnecessary and harmful regulatory  
10407 process essentially circumventing critical health protections  
10408 for so-called critical energy resources, an incredibly vague  
10409 and overly broad term. Under this misguided bill, a chemical  
10410 classified as a critical energy resource would be allowed to  
10411 be put on the market without any determination of the risk to  
10412 the public health, effectively allowing potentially dangerous  
10413 chemicals into our homes and communities.

10414           It would also require EPA to consider non-risk factors  
10415 when making safety determinations about these designated  
10416 chemicals, essentially prioritizing economic costs over  
10417 safety.

10418           I am disturbed how this legislation could bypass risk  
10419 evaluations for untested PFAS chemicals for the sake of  
10420 energy innovation. PFAS chemicals are a class of manmade  
10421 chemicals that have been linked to a range of serious health  
10422 consequences including cancer, heart disease, diabetes, and  
10423 serious reproductive and developmental issues. Research has

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10424 found that these chemicals are harmful, even at extremely low  
10425 doses.

10426           So I am gravely concerned with the potential of this  
10427 bill unleashing PFAS into our water sources. A report by the  
10428 Physicians for Social Responsibility found PFAS was used in  
10429 fracking in over one 1,200 oil and gas wells, including wells  
10430 in Ohio, Pennsylvania, Colorado, Louisiana, Oklahoma, Texas,  
10431 and Wyoming. This bill would allow the oil and gas industry  
10432 to flood water systems with untested PFAS without any  
10433 considerations on the health effects on our communities.

10434           Instead of taking action to help clean up PFAS  
10435 contamination and protect our most vulnerable populations  
10436 from exposure, Republicans want to create a new, watered-down  
10437 regulatory scheme to fast-track the approval of new and  
10438 potentially more harmful PFAS. And why? Because it could be  
10439 critical to energy development? That is not only dangerous,  
10440 but unnecessary.

10441           The EPA already has the authority to consider critical  
10442 and essential uses of chemicals like uses in energy  
10443 industries when they define the protocols for risk  
10444 management. It is wholly unnecessary to sacrifice public

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10445 health and safety by circumventing reviews for PFAS  
10446 chemicals. That is why I am offering this common-sense  
10447 change.

10448           This amendment simply excludes PFAS from being  
10449 considered under the regulatory pathway created under this  
10450 bill. In light of the growing evidence around PFAS  
10451 contamination and health risks, we should be strengthening  
10452 protections against PFAS exposure and providing communities  
10453 resources to protect themselves from harmful effects, not  
10454 creating more pipelines for cancer-causing chemicals into our  
10455 air, drinking water, and homes.

10456           If Republicans really want to unleash American energy, I  
10457 invite them to stop attempts -- attempting to roll back  
10458 critical climate and environmental programs, and work with us  
10459 to build a brighter future for all by investing in clean  
10460 energy and bolstering our environmental safeguards.

10461           I urge my colleagues to support this common-sense  
10462 amendment that would protect workers, families, and children  
10463 from harmful PFAS chemicals.

10464           And with that, Madam Chair, thank you, and I yield back  
10465 the balance of my time.

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10466           \*The Chair. The gentlelady yields back. Anyone else  
10467 speaking on the amendment?

10468           The gentleman from Utah, Mr. Curtis, is recognized for  
10469 five minutes.

10470           \*Mr. Curtis. Thank you, Madam Chair. I oppose this  
10471 amendment, and urge the members to vote no.

10472           As I was listening to my colleague from New York -- and  
10473 I greatly appreciate her perspective, but it made me wonder  
10474 if we were even talking about the same bill. And I hope my  
10475 colleagues have taken time to read this bill, and to study  
10476 it. And I think they will see that it actually helps them  
10477 accomplish a lot of their objectives.

10478           This amendment that is being proposed does not permit  
10479 the bill to cover projects with PFAS. Why is this a problem?  
10480 I remember being on the Health Subcommittee last year when we  
10481 talked about this. The number of things that -- where PFAS  
10482 is used in medicine and implants and things like that, that  
10483 are critical and lifesaving, you know, there is over 12,000  
10484 PFAS -- different types of PFAS, as identified by the EPA.  
10485 And this amendment doesn't even define what a PFAS is.

10486           Moreover, PFAS is a diverse class of chemicals, most of

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10487 which do not have health effects. And the information from  
10488 the EPA is clear on that. PFAS is used in many solar panels,  
10489 and windmills, and other technologies that are part of our  
10490 green future.

10491 The amendment is anti-science, and drives fears rather  
10492 than answers. The idea of section 5 is that every chemical  
10493 gets an independent review, rather than a decision based upon  
10494 notions. This amendment is the opposite of that.

10495 I might point out, as far as risk, too, I mentioned in  
10496 my earlier remarks about the bill that there are risks that  
10497 we all accept every day in society. And to give you one  
10498 clear example of what EPA might struggle with in this risk  
10499 assessment, I learned of a company that, in order to comply  
10500 with clean air requirements, they use what is called EPS,  
10501 electrostatic precipitation, to capture particulates. There  
10502 is a byproduct when they use EPS, and that byproduct is  
10503 packaged in this company and sent to the landfill. They have  
10504 found that this byproduct can be used in glass and paper, and  
10505 actually reduce the amount of pulp in paper. But EPA will  
10506 not let them use that chemical because their employees might  
10507 come in contact with that. So instead, their employees

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10508 package it, coming in contact with it, and send it to the  
10509 landfill.

10510 And that is the type of risk that EPA must determine is  
10511 -- may be an acceptable risk for them to determine that it is  
10512 as dangerous for them to send that to the landfill as to use  
10513 it otherwise.

10514 And so I urge a no vote, and yield my time back.

10515 \*The Chair. The gentleman yields back. Is there  
10516 further discussion?

10517 Mrs. Dingell from Michigan is recognized for five  
10518 minutes.

10519 \*Mrs. Dingell. Thank you, Madam Chair. And with all  
10520 due respect, first of all, I want to -- I move to strike the  
10521 last word.

10522 \*The Chair. The lady is recognized to strike the last  
10523 word for five minutes.

10524 \*Mrs. Dingell. And I would like to speak in support of  
10525 the gentlelady's amendment, which would ensure that PFAS  
10526 chemicals do not circumvent reviews under the Toxic  
10527 Substances Control Act, or TSCA.

10528 With all due respect for my colleague -- and I love him

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10529     dearly, and we are working on bills together, some important  
10530     ones -- PFAS is a forever chemical that is in 98 percent of  
10531     the people's blood. The firefighters who were in town the  
10532     last two days -- I cannot believe anybody in this committee  
10533     did not talk to them -- they are scared to death about the  
10534     PFAS that is in their firefighting equipment. They are --  
10535     one of them today, someone I have met from a Republican  
10536     member's district, actually, told me that 75 percent of their  
10537     firefighters in their group are getting cancer.

10538             This is -- H.R. 1158 -- and I don't know that that is a  
10539     fact, by the way, that was just an emotional statement made  
10540     to me, but it is how they feel. H.R. 1158 guts critical  
10541     public health protections for chemicals classified under the  
10542     vague term "critical energy resources."

10543             If this legislation were to pass, a chemical determined  
10544     to be a critical energy resource could enter commerce without  
10545     determination of safety, potentially allowing toxic chemicals  
10546     into our communities.

10547             EPA would also be required to consider non-risk factors  
10548     when making safety determinations about these designated  
10549     chemicals, thereby prioritizing economic costs over safety.

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10550 I am deeply disappointed that my colleagues specifically  
10551 mentioned using this authority to streamline the review of  
10552 critical uses of PFAS chemicals in the name of energy  
10553 innovation. PFAS chemicals have been linked to cancer,  
10554 developmental issues, and other serious health problems at  
10555 extremely low doses. Communities across the nation,  
10556 including my own in Michigan, are looking to us to address  
10557 the contamination that they are seeing in the air, the soil,  
10558 the water, wildlife, and in our own bodies.

10559 That is why I am concerned that Republicans are willing  
10560 to speed up the review of PFAS chemicals, and without  
10561 critical public health protections this committee passed in  
10562 the Lautenberg Act. EPA should be doing a thorough review  
10563 that follows the science, not a company's bottom line, to  
10564 ensure that any PFAS chemical entering the market is  
10565 regulated to prevent harmful exposure to workers and  
10566 communities.

10567 And to be clear, EPA has the authority to consider  
10568 critical and essential uses of chemicals. There is no  
10569 evidence that we need to compromise between public health and  
10570 a clean energy future. In fact, under current new chemical

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10571 reviews, EPA is able to support the introduction of new  
10572 energy-related chemicals into the market while protecting  
10573 human health and the environment.

10574         It is crucial that chemicals for these technologies be  
10575 produced and used in a manner that does not harm vulnerable  
10576 groups such as workers and frontline communities. I support  
10577 my colleagues amendment. It would ensure that considering  
10578 the mounting concerns and evidence that at least some PFAS  
10579 chemicals may pose health risks, EPA conduct thorough health  
10580 protective reviews and manage the risks associated with the  
10581 chemicals before workers and families are exposed.

10582         I say to my colleagues people used to think I am a lousy  
10583 cook. I use Teflon pans. Teflon had the PFAS. It is in  
10584 socks. It is in cosmetics. It was in food wrappers. It --  
10585 we just got a new study showing that it was 100 percent in  
10586 every fish that was caught in the Great Lakes. That is why I  
10587 have championed the PFAS Action Act, and why I will continue  
10588 to advocate for a strong regulatory framework for PFAS  
10589 chemicals.

10590         I urge my colleagues to support my -- Ms. Clarke's  
10591 amendment. I strongly encourage my Republican counterparts

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10592 to rethink this legislation, and I yield back the balance of  
10593 my --

10594 \*Mr. Curtis. Will the gentlewoman yield?

10595 \*Mrs. Dingell. Yes.

10596 \*Mr. Curtis. So, Mrs. Dingell, may I first admire your  
10597 passion?

10598 [Laughter.]

10599 \*Mrs. Dingell. I am intense.

10600 \*Mr. Curtis. And I just -- I so value that. I wish you  
10601 could slice off just a little bit of that and give it to me.  
10602 I would take it.

10603 \*Mrs. Dingell. We are going to do it on dental  
10604 together.

10605 \*Mr. Curtis. Yes, we are. So I -- I also very much  
10606 like your work, and value that. And I would simply say to  
10607 your response, I join you in your concern about PFAS.

10608 But I want to be really clear that, if not careful, if  
10609 somebody hadn't read the bill and was just listening to this  
10610 conversation, they might think this was a bill that is giving  
10611 a green light to PFAS. And I have just a few seconds, but I  
10612 want to just clarify.

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10613           We are asking EPA to do their job on time. That is what  
10614 we are asking with this bill. We are also -- there is a  
10615 small provision that says, yes, you can consider other things  
10616 like the risk that I have tried to outline, that there is  
10617 some acceptable risk.

10618           But I am out of time, and I do appreciate your comments.  
10619 Thank you.

10620           I yield back.

10621           \*Mrs. Dingell. We yield back. We have no more time.

10622           \*The Chair. The gentlelady yields back. Is there  
10623 further discussion on the amendment?

10624           \*Mr. Pallone. We want a roll call on this.

10625           \*The Chair. Seeing none, we will call for the yeas and  
10626 nays. A recorded vote has been requested. The clerk will  
10627 call the roll.

10628           \*The Clerk. Rodgers?

10629           \*The Chair. No.

10630           \*The Clerk. Rodgers votes no.

10631           Burgess?

10632           [No response.]

10633           \*The Clerk. Latta?

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10634 \*Mr. Latta. No.  
10635 \*The Clerk. Latta votes no.  
10636 Guthrie?  
10637 \*Mr. Guthrie. No.  
10638 \*The Clerk. Guthrie votes no.  
10639 Griffith?  
10640 \*Mr. Griffith. No.  
10641 \*The Clerk. Griffith votes no.  
10642 Bilirakis?  
10643 \*Mr. Bilirakis. No.  
10644 \*The Clerk. Bilirakis votes no.  
10645 Johnson?  
10646 \*Mr. Johnson. No.  
10647 \*The Clerk. Johnson votes no.  
10648 Bucshon?  
10649 \*Mr. Bucshon. No.  
10650 \*The Clerk. Bucshon votes no.  
10651 Hudson?  
10652 [No response.]  
10653  
10654 \*The Clerk. Walberg?

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10655 [No response.]  
10656 \*The Clerk. Carter?  
10657 [No response.]  
10658 \*The Clerk. Duncan?  
10659 \*Mr. Duncan. No.  
10660 \*The Clerk. Duncan votes no.  
10661 Palmer?  
10662 \*Mr. Palmer. No.  
10663 \*The Clerk. Palmer votes no.  
10664 Dunn?  
10665 [No response.]  
10666 \*The Clerk. Curtis?  
10667 \*Mr. Curtis. [Inaudible.]  
10668 \*The Clerk. Curtis votes no.  
10669 Lesko?  
10670 \*Mrs. Lesko. No.  
10671 \*The Clerk. Lesko votes no.  
10672 Pence?  
10673 \*Mr. Pence. No.  
10674 \*The Clerk. Pence votes no.  
10675 Crenshaw?

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10676 \*Mr. Crenshaw. No.  
10677 \*The Clerk. Crenshaw votes no.  
10678 Joyce?  
10679 \*Mr. Joyce. No.  
10680 \*The Clerk. Joyce votes no.  
10681 Armstrong?  
10682 [No response.]  
10683 \*The Clerk. Weber?  
10684 \*Mr. Weber. No.  
10685 \*The Clerk. Weber votes no.  
10686 \*Mr. Allen. No.  
10687 \*The Clerk. Allen votes no.  
10688 Balderson?  
10689 [No response.]  
10690 \*The Clerk. Fulcher?  
10691 \*Mr. Fulcher. Fulcher, no.  
10692 \*The Clerk. Fulcher votes no.  
10693 Pfluger?  
10694 \*Mr. Pfluger. No.  
10695 \*The Clerk. Pfluger votes no.  
10696 Harshbarger?

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10697 \*Mrs. Harshbarger. [Inaudible.]  
10698 \*The Clerk. Harshbarger votes no.  
10699 Miller-Meeks?  
10700 \*Mrs. Miller-Meeks. [Inaudible.]  
10701 \*The Clerk. Miller-Meeks votes no.  
10702 Cammack?  
10703 \*Mrs. Cammack. No.  
10704 \*The Clerk. Cammack votes no.  
10705 Obernolte?  
10706 \*Mr. Obernolte. [Inaudible.]  
10707 \*The Clerk. Obernolte votes no.  
10708 Pallone?  
10709 \*Mr. Pallone. Aye.  
10710 \*The Clerk. Pallone votes aye.  
10711 Eshoo?  
10712 \*Ms. Eshoo. Aye.  
10713 \*The Clerk. Eshoo votes aye.  
10714 DeGette?  
10715 \*Ms. DeGette. Aye.  
10716 \*The Clerk. DeGette votes aye.  
10717 Schakowsky?

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10718 \*Ms. Schakowsky. Aye.  
10719 \*The Clerk. Schakowsky votes aye.  
10720 Matsui?  
10721 \*Ms. Matsui. Aye.  
10722 \*The Clerk. Matsui votes aye.  
10723 Castor?  
10724 \*Ms. Castor. [Inaudible.]  
10725 \*The Clerk. Castor votes aye.  
10726 Sarbanes?  
10727 \*Mr. Sarbanes. [Inaudible.]  
10728 \*The Clerk. Sarbanes votes aye.  
10729 Tonko?  
10730 \*Mr. Tonko. Aye.  
10731 \*The Clerk. Tonko votes aye.  
10732 Clarke?  
10733 \*Ms. Clarke. Aye.  
10734 \*The Clerk. Clarke votes aye.  
10735 Cardenas?  
10736 \*Mr. Cardenas. Aye.  
10737 \*The Clerk. Cardenas votes aye.  
10738 Ruiz?

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10739 [No response.]  
10740 \*The Clerk. Peters?  
10741 \*Mr. Peters. [Inaudible.]  
10742 \*The Clerk. Peters votes aye.  
10743 \*Mr. Ruiz. [Inaudible.]  
10744 \*The Clerk. Ruiz votes aye.  
10745 Dingell?  
10746 \*Mrs. Dingell. Aye.  
10747 \*The Clerk. Dingell votes aye.  
10748 Veasey?  
10749 \*Mr. Veasey. Aye.  
10750 \*The Clerk. Veasey votes aye.  
10751 Kuster?  
10752 \*Ms. Kuster. Aye.  
10753 \*The Clerk. Kuster votes aye.  
10754 Kelly?  
10755 \*Ms. Kelly. Aye.  
10756 \*The Clerk. Kelly votes aye.  
10757 Barragan?  
10758 \*Ms. Barragan. Aye.  
10759 \*The Clerk. Barragan votes aye.

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10760 Blunt Rochester?  
10761 \*Ms. Blunt Rochester. Aye.  
10762 \*The Clerk. Blunt Rochester votes aye.  
10763 Soto?  
10764 \*Mr. Soto. Aye.  
10765 \*The Clerk. Soto votes aye.  
10766 Craig?  
10767 \*Ms. Craig. Aye.  
10768 \*The Clerk. Craig votes aye.  
10769 Schrier?  
10770 [No response.]  
10771 \*The Clerk. Trahan?  
10772 \*Mrs. Trahan. Aye.  
10773 \*The Clerk. Trahan votes aye.  
10774 Fletcher?  
10775 \*Mrs. Fletcher. Aye.  
10776 \*The Clerk. Fletcher votes aye.  
10777 \*Mr. Dunn. How is Dunn recorded?  
10778 \*The Clerk. Mr. Dunn is not recorded.  
10779 \*Mr. Dunn. Nay.  
10780 \*The Clerk. Dunn votes no.

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10781 \*Mr. Carter. How is Carter recorded?  
10782 \*The Clerk. Mr. Carter is not recorded.  
10783 \*Mr. Carter. No.  
10784 \*The Clerk. Carter votes no.  
10785 \*Mr. Balderson. [Inaudible.]  
10786 \*The Clerk. Mr. Balderson is not recorded.  
10787 \*Mr. Balderson. No.  
10788 \*The Clerk. Balderson votes no.  
10789 \*Mr. Armstrong. No.  
10790 \*The Clerk. Mr. Armstrong votes no.  
10791 \*Mr. Walberg. Walberg?  
10792 \*The Clerk. Mr. Walberg is not recorded.  
10793 \*Mr. Walberg. No.  
10794 \*The Clerk. Mr. Walberg votes no.  
10795 \*Mr. Burgess. Burgess votes no.  
10796 \*The Clerk. Burgess votes no.  
10797 \*The Chair. Any members requesting to be recorded?  
10798 Okay, that is good. The clerk will report the vote.  
10799 \*The Clerk. Chair Rodgers, on that vote we have 22 ayes  
10800 and 28 noes.  
10801 \*The Chair. The noes have it, the amendment is not

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10802 agreed to.

10803 Any further amendments?

10804 Mr. Sarbanes, for what purpose do you seek recognition?

10805 \*Mr. Sarbanes. I have an amendment at the desk.

10806 \*The Chair. The clerk will report the amendment.

10807 \*The Clerk. Can Mr. Sarbanes please specify the  
10808 amendment?

10809 \*Mr. Sarbanes. Yes, it is 1158 FCN\_03.

10810 \*The Clerk. Amendment to H.R. 1158, offered by Mr.  
10811 Sarbanes. Add at the end the following: Section 3,  
10812 effective date. This Act and the amendments made by this Act  
10813 shall --

10814 \*The Chair. Without objection, the reading of the  
10815 amendment is dispensed with.

10816 [The amendment of Mr. Sarbanes follows:]

10817

10818 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

10819

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10820           \*The Chair. And the gentleman is recognized for five  
10821 minutes in support of his amendment.

10822           \*Mr. Sarbanes. Thank you very much, Madam Chair.

10823           So we have been talking about the Lautenberg Act today,  
10824 obviously, which is the TSCA reform bill passed back in 2016.  
10825 And by the way, it was passed with overwhelming bipartisan  
10826 support. I think there was only three Republicans on the  
10827 House floor who did not support it. Every Republican in this  
10828 committee reported it when it was -- or supported it when it  
10829 got reported out, and I think there is still 13 Republicans  
10830 here from that time that supported the bill.

10831           So I wanted to emphasize that the Republican support for  
10832 creating a framework by which the EPA could review these  
10833 chemicals up until this point has been pretty solid. And  
10834 that included strengthening the new chemicals program so that  
10835 chemicals wouldn't enter the market without the appropriate  
10836 EPA review, and the appropriate regulation that would go with  
10837 that.

10838           The bill that is being proposed here, the Elimination of  
10839 Future Technology Delays Act, undermines these bipartisan  
10840 reforms. As some of my colleagues have pointed out, it

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10841 reverses key public health protections in the name of  
10842 streamlining the reviews. And my concern -- and it is  
10843 shared, I think, by many certainly on our side of the aisle  
10844 -- is that is going to endanger the health and safety of  
10845 workers and consumers.

10846 Now, there has been a lot of talk about delays at EPA,  
10847 and that is sort of being cited as the rationale for this  
10848 proposal. But the GAO report that has been cited here that  
10849 did, yes, recognize and acknowledge there were some delays  
10850 also pointed out that there is workforce capacity issues at  
10851 the EPA. And that is really what needs to get addressed.

10852 In other words, it doesn't make sense to set up a  
10853 framework and say go do these important reviews, but then,  
10854 because the agency doesn't have enough capacity and resources  
10855 to conduct the reviews, to then immediately start dismantling  
10856 the framework that you established. That is a backwards  
10857 approach. And I am worried that that is what is happening  
10858 right here.

10859 In that GAO report there was a recommendation that EPA  
10860 create a strategic plan to develop long-term strategies for  
10861 recruiting, developing, and retaining the staff that you need

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10862 to support the increased workload of the office. In other  
10863 words, we created that extra workload for the agency by  
10864 saying here is what you need to go do to protect Americans  
10865 from these chemicals. Now that extra workload and the fact  
10866 that we haven't provided enough support for them to do it is  
10867 becoming the excuse to go undo the authority that they have.  
10868 And again, that doesn't make any sense.

10869           So the amendment that I am proposing here would require  
10870 that EPA conduct the workforce planning efforts that were  
10871 cited by the GAO before the act goes into effect. In other  
10872 words, before this proposal that you put forward would go  
10873 into effect, make sure that EPA is undertaking the efforts to  
10874 address the workforce issues. It would require GAO to  
10875 certify that EPA has developed a workforce plan to support  
10876 the chemical reviews conducted under the new chemicals  
10877 program.

10878           So if you all really want to speed up the reviews -- and  
10879 you keep talking about these delays, the impact it is having  
10880 in terms of critical energy resources, and so forth -- let's  
10881 make sure the office has the tools, the capacity, the  
10882 workforce to do these reviews in a responsible way.

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10883           And by the way, the industry and environmental groups  
10884 both have said that EPA needs more resources in order to  
10885 administer TSCA. So EPA is trying to take steps to address  
10886 the resource constraints that they have by revisiting the  
10887 TSCA fee rule, actively working to hire staff with relevant  
10888 expertise. The Biden Administration, by the way, recognizing  
10889 this capacity issue, has requested an increase in funding for  
10890 TSCA in their budget. We ought to do that, again, to help  
10891 with the timeliness of these reviews.

10892           So let's ensure the agency has the resources and the  
10893 staff it needs to address the increased workload. That is  
10894 what I am trying to do with this amendment to the proposed  
10895 rule. And for that reason I would urge support of it.

10896           And I yield back my time.

10897           \*The Chair. The gentleman yields back. Is there  
10898 further discussion on the amendment?

10899           \*Mr. Curtis. Yes, Madam Chair.

10900           \*The Chair. The gentleman from Utah, Mr. Curtis, is  
10901 recognized for five minutes.

10902           \*Mr. Curtis. I seek time to strike the last word. I  
10903 claim time in opposition to this amendment.

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10904           The amendment relies on GOA to certify that EPA has a  
10905 plan in place to align its workforce for implementing TSCA.  
10906 And I would rhetorically ask my colleagues if they would  
10907 support the underlying bill if this amendment was accepted,  
10908 and I suspect they would not.

10909           The facts are that EPA, with only 5 less staff on board,  
10910 is missing deadlines 100 percent of the time. That, and EPA  
10911 user fees have gone up 600 percent. Throwing money at the  
10912 problem doesn't always solve it, the inefficiencies.

10913           In addition, GAO was clear that workforce was only one  
10914 issue that could have an impact on deadlines. E&E News  
10915 reported the other day that, even with all the new money, EPA  
10916 is having a problem adding new employees. Once again, my  
10917 colleagues want innovation to wait on government while  
10918 adversaries beat us and exceed us on these very important  
10919 issues.

10920           I urge a no vote, and yield my time.

10921           \*The Chair. The gentleman yields back. Is there  
10922 further discussion on the amendment?

10923           Mr. Tonko, for what purpose do you seek recognition?

10924           \*Mr. Tonko. Madam Chair, I move to strike the last

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10925 word.

10926 \*The Chair. The gentleman is recognized for five  
10927 minutes to strike --

10928 \*Mr. Tonko. Thank you, Madam Chair. I offer my support  
10929 for the gentleman's amendment.

10930 Before I make comment on the amendment, I would like to  
10931 ask to introduce into the record a memo from 46 organizations  
10932 which urge opposition to the bill.

10933 \*The Chair. Without objection, so ordered.

10934 [The information follows:]

10935

10936 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

10937

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10938           \*Mr. Tonko. Thank you. So back to the support of  
10939 Representative Sarbanes's amendment.

10940           At the subcommittee markup I expressed my concerns about  
10941 this bill. I really do not believe that any given Secretary  
10942 of Energy should be assumed to be an expert so as to  
10943 determine a chemical's potential risks to public health  
10944 workers or the environment. So I cannot support allowing a  
10945 DoE determination to short circuit EPA's new chemical review  
10946 process, or allow costs to be taken into consideration in the  
10947 risk assessment stage.

10948           There is no question that the Lautenberg Act, which  
10949 transformed TSCA, asked EPA to do much more. Before TSCA  
10950 reform, nearly 80 percent of new chemicals entered commerce  
10951 without a formal determination from EPA about the chemical's  
10952 safety. The Lautenberg Act provided EPA with new authorities  
10953 to better protect Americans from chemical risks, including  
10954 requiring an affirmative determination on every new chemical  
10955 before it entered the market. And for several years  
10956 following that bill's enactment, EPA was asked to do more  
10957 with less.

10958           During the Trump Administration we saw budget requests

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10959 that would have starved the agency of resources. Staff  
10960 levels dropped and employee morale, indeed, was low. I  
10961 appreciate that the Biden Administration has been working  
10962 hard to hire more skilled people into the Federal service.

10963

10964 In 2021, this committee received testimony from Assistant  
10965 Administrator Friedhoff from EPA's Office of Chemical Safety  
10966 and Pollution Prevention. We heard firsthand the challenges  
10967 they were having on staffing and resources. Since then, I  
10968 know EPA has worked to reform TSCA's fee rule, but that is  
10969 only part of the solution.

10970 EPA does need to do more to align its workforce planning  
10971 with its statutory responsibilities. So I support Mr.  
10972 Sarbanes's amendment, which would encourage EPA to get the  
10973 people and resources it needs in place to conduct timely  
10974 chemical reviews. And before enacting a new loophole to  
10975 undermine the goals of the new chemical program, I hope we  
10976 can work together to provide EPA with the resources that it  
10977 truly needs to scale up the office.

10978 We should not be choosing between public health and  
10979 energy development. We should not be promoting the false

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10980 narrative that undercutting health protections embedded in  
10981 TSCA are an acceptable risk to take.

10982 So with that I urge members to support the amendment  
10983 and, Madam Chair, I yield back.

10984 \*The Chair. The gentleman yields back.

10985 \*Mr. Tonko. The --

10986 \*The Chair. Oh, does --

10987 \*Mr. Tonko. Yes, the gentleman has asked that I yield  
10988 my remaining time, and I do so gladly.

10989 \*Mr. Sarbanes. Yes, just real quick, fair enough,  
10990 Representative Curtis, your point that money is not the only  
10991 solution here. And in fact, the amendment is not suggesting  
10992 that the bill not take effect until all the capacity issues  
10993 are addressed. It is saying that it will not take effect  
10994 until the EPA has put in place a process, a timeline, a plan,  
10995 a strategic approach to address these issues. So it is going  
10996 to -- it is asking the EPA to step up, get more aggressive  
10997 about how it is thinking on the workforce side and its  
10998 capacity side about these challenges.

10999 So it is a combination both of resources -- and I still  
11000 think that we need more resources there -- and focus and

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11001 planning from EPA. And again, I think that is why it is a  
11002 reasonable amendment.

11003 And I will yield back to the --

11004 \*Mr. Tonko. The gentleman yields back and I yield back,  
11005 Madam Chair.

11006 \*The Chair. The gentleman yields back. Is there  
11007 further discussion on the amendment?

11008 The gentleman from Ohio, Mr. --

11009 \*Mr. Johnson. Thank you, Madam Chair. I strike the  
11010 last word in opposition to the amendment.

11011 \*The Chair. -- for five minutes. Go ahead.

11012 \*Mr. Johnson. Madam Speaker, I want to add one last  
11013 thing to this amendment debate in opposition.

11014 Until recently, EPA's budget for TSCA, back to the Obama  
11015 Administration, has been flat. But every other  
11016 administration has gotten better production with twice the  
11017 new chemicals applications. In fact, the Obama  
11018 Administration missed the deadline only three percent of the  
11019 time, while simultaneously proposing and implementing  
11020 entirely new TSCA framework regulations.

11021 Second, EPA's overall budget has grown 10 percent over

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11022 the last few years, from 9.24 billion in fiscal year 2021 to  
11023 10.14 billion in fiscal year 2023. Plus, add in 1.67 billion  
11024 in supplemental funding, another 25.27 billion under the  
11025 Senate infrastructure law, and 14.46 billion for the  
11026 Democrats' inflation law. All told, in 3 years, EPA has  
11027 received 97.33 billion in funding, some of which it could  
11028 move to the TSCA new chemicals office. And TSCA user fees  
11029 have separately risen 600 percent over the last 6 years.

11030       Concerning staffing, EPA's December 21st skills gap  
11031 analysis, the baseline number of employees in the new  
11032 chemicals division at the end of the Trump Administration was  
11033 64, with a target of 74. However, in June 2022, even with  
11034 69, or 5 more staff on board, the EPA saw a 50 percent  
11035 decrease in the number of determinations completed compared  
11036 to 2020. And EPA has gone from 458 determinations in 2017 to  
11037 116 last year.

11038       So I think these statistics and the money that they have  
11039 been allocated speak for themselves. So I urge a no vote on  
11040 the Sarbanes amendment, and a yes vote on the underlying  
11041 bill.

11042       And with that I will yield my remaining time to Mr.

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11043 Curtis of Utah.

11044 \*Mr. Curtis. Thank you.

11045 I -- if I understand the amendment correctly, it would  
11046 say that this doesn't take effect until a plan is submitted  
11047 by the EPA. And I think -- I am wondering out loud why the  
11048 EPA would ever submit a plan if they knew simply not  
11049 submitting a plan would mean the bill would never be  
11050 implemented.

11051 So I offer to my colleague I could perhaps support the  
11052 amendment under two conditions, and one was if there was a  
11053 reasonable timeline in how soon they would submit that plan;  
11054 and two, if I genuinely knew that would change his mind and  
11055 he would vote for the underlying bill. And I would offer  
11056 that I would change my mind and support his amendment under  
11057 those conditions.

11058 And with that, I yield back.

11059 \*Mr. Johnson. And I yield back, Madam Chair.

11060 \*The Chair. The gentleman yields back. Is there  
11061 further discussion on the amendment?

11062 Seeing none --

11063 \*Mr. Pallone. We want a roll call here.

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11064 \*The Chair. -- a recorded vote has been requested. The  
11065 clerk will call the roll.

11066 \*The Clerk. Rodgers?

11067 \*The Chair. No.

11068 \*The Clerk. Rodgers votes no.

11069 Burgess?

11070 [No response.]

11071 \*The Clerk. Latta?

11072 \*Mr. Latta. [Inaudible.]

11073 \*The Clerk. Latta votes no.

11074 Guthrie?

11075 \*Mr. Guthrie. No.

11076 \*The Clerk. Guthrie votes no.

11077 Griffith?

11078 \*Mr. Griffith. [Inaudible.]

11079 \*The Clerk. Griffith votes no.

11080 Bilirakis?

11081 \*Mr. Bilirakis. [Inaudible.]

11082 \*The Clerk. Bilirakis votes no.

11083 Johnson?

11084 \*Mr. Johnson. No.

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11085           \*The Clerk. Johnson votes no.  
11086           Bucshon?  
11087           \*Mr. Bucshon. No.  
11088           \*The Clerk. Bucshon votes no.  
11089           Hudson?  
11090           [No response.]  
11091           \*The Clerk. Walberg?  
11092           \*Mr. Walberg. No.  
11093           \*The Clerk. Walberg votes no.  
11094           Carter?  
11095           \*Mr. Carter. No.  
11096           \*The Clerk. Carter votes no.  
11097           Duncan?  
11098           \*Mr. Duncan. No.  
11099           \*The Clerk. Duncan votes no.  
11100           Palmer?  
11101           \*Mr. Palmer. No.  
11102           \*The Clerk. Palmer votes no.  
11103           Dunn?  
11104           \*Mr. Dunn. No.  
11105           \*The Clerk. Dunn votes no.

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11106 Curtis?  
11107 \*Mr. Curtis. No.  
11108 \*The Clerk. Curtis votes no.  
11109 Lesko?  
11110 \*Mrs. Lesko. No.  
11111 \*The Clerk. Lesko votes no.  
11112 Pence?  
11113 \*Mr. Pence. No.  
11114 \*The Clerk. Pence votes no.  
11115 Crenshaw?  
11116 \*Mr. Crenshaw. No.  
11117 \*The Clerk. Crenshaw votes no.  
11118 Joyce?  
11119 \*Mr. Joyce. [Inaudible.]  
11120 \*The Clerk. Joyce votes no.  
11121 Armstrong?  
11122 \*Mr. Armstrong. No.  
11123 \*The Clerk. Armstrong votes no.  
11124 Weber?  
11125 \*Mr. Weber. No.  
11126 \*The Clerk. Weber votes no.

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11127           \*Mr. Allen. No.  
11128           \*The Clerk. Allen?  
11129           Allen votes no.  
11130           Balderson?  
11131           \*Mr. Balderson. No.  
11132           \*The Clerk. Balderson votes no.  
11133           Fulcher?  
11134           \*Mr. Fulcher. Fulcher, no.  
11135           \*The Clerk. Fulcher votes no.  
11136           Pfluger?  
11137           \*Mr. Pfluger. [Inaudible.]  
11138           \*The Clerk. Pfluger votes no.  
11139           Harshbarger?  
11140           \*Mrs. Harshbarger. [Inaudible.]  
11141           \*The Clerk. Harshbarger votes no.  
11142           Miller-Meeks?  
11143           \*Mrs. Miller-Meeks. [Inaudible.]  
11144           \*The Clerk. Miller-Meeks votes no.  
11145           Cammack?  
11146           \*Mrs. Cammack. No.  
11147           \*The Clerk. Cammack votes no.

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11148           Obernolte?  
11149           \*Mr. Obernolte. [Inaudible.]  
11150           \*The Clerk. Obernolte votes no.  
11151           Pallone?  
11152           \*Mr. Pallone. Aye.  
11153           \*The Clerk. Pallone votes aye.  
11154           Eshoo?  
11155           \*Ms. Eshoo. Aye.  
11156           \*The Clerk. Eshoo votes aye.  
11157           DeGette?  
11158           \*Ms. DeGette. Aye.  
11159           \*The Clerk. DeGette votes aye.  
11160           Schakowsky?  
11161           \*Ms. Schakowsky. Aye.  
11162           \*The Clerk. Schakowsky votes aye.  
11163           Matsui?  
11164           \*Ms. Matsui. Aye.  
11165           \*The Clerk. Matsui votes aye.  
11166           Castor?  
11167           \*Ms. Castor. [Inaudible.]  
11168           \*The Clerk. Castor votes aye.

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11169 Sarbanes?  
11170 \*Mr. Sarbanes. Aye.  
11171 \*The Clerk. Sarbanes votes aye.  
11172 Tonko?  
11173 [No response.]  
11174 \*The Clerk. Clarke?  
11175 \*Ms. Clarke. Clarke votes aye.  
11176 \*The Clerk. Clarke votes aye.  
11177 Cardenas?  
11178 \*Mr. Cardenas. Aye.  
11179 \*The Clerk. Cardenas votes aye.  
11180 Ruiz?  
11181 \*Mr. Ruiz. Aye.  
11182 \*The Clerk. Ruiz votes aye.  
11183 Peters?  
11184 [No response.]  
11185 \*The Clerk. Dingell?  
11186 \*Mrs. Dingell. Aye.  
11187 \*The Clerk. Dingell votes aye.  
11188 Veasey?  
11189 \*Mr. Veasey. Aye.

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11190           \*The Clerk. Veasey votes aye.  
11191           Kuster?  
11192           \*Ms. Kuster. Aye.  
11193           \*The Clerk. Kuster votes aye.  
11194           Kelly?  
11195           \*Ms. Kelly. Aye.  
11196           \*The Clerk. Kelly votes aye.  
11197           Barragan?  
11198           [No response.]  
11199           \*The Clerk. Blunt Rochester?  
11200           \*Ms. Blunt Rochester. Aye.  
11201           \*The Clerk. Blunt Rochester votes aye.  
11202           Soto?  
11203           \*Mr. Soto. Aye.  
11204           \*The Clerk. Soto votes aye.  
11205           Craig?  
11206           \*Ms. Craig. Aye.  
11207           \*The Clerk. Craig votes aye.  
11208           Schrier?  
11209           [No response.]  
11210           \*The Clerk. Trahan?

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11211 \*Mrs. Trahan. [Inaudible.]  
11212 \*The Clerk. Trahan votes aye.  
11213 Fletcher?  
11214 \*Mrs. Fletcher. Aye.  
11215 \*The Clerk. Fletcher votes aye.  
11216 \*The Chair. How is Mr. Peters recorded?  
11217 \*The Clerk. Mr. Peters is not recorded.  
11218 \*The Chair. How is Mr. Tonko --  
11219 \*Mr. Peters. [Inaudible.]  
11220 \*The Clerk. Mr. Peters votes aye.  
11221 \*The Chair. How is --  
11222 \*The Clerk. Mr. Tonko is not recorded.  
11223 \*Mr. Tonko. Aye, please.  
11224 \*The Clerk. Tonko votes aye.  
11225 \*The Chair. How is Mr. Burgess recorded?  
11226 \*The Clerk. Mr. Burgess is not recorded.  
11227 \*Mr. Burgess. Burgess votes no.  
11228 \*The Clerk. Burgess votes no.  
11229 \*The Chair. Any other members seeking to be recorded?  
11230 [Pause.]  
11231 \*The Chair. The clerk will report the vote.

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11232           \*The Clerk. Chair Rodgers, on that vote we have 21 ayes  
11233 and 28 noes.

11234           \*The Chair. The noes have it, the amendment is not  
11235 adopted.

11236           Are there further amendments?

11237           Okay, good. The chair -- the question now occurs on  
11238 approving H.R. 1158, as amended. A roll call has been  
11239 requested. The clerk will call the roll.

11240           \*The Clerk. Rodgers?

11241           \*The Chair. Aye.

11242           \*The Clerk. Rodgers votes aye.

11243           Burgess?

11244           [No response.]

11245           \*The Clerk. Latta?

11246           \*Mr. Latta. Aye.

11247           \*The Clerk. Latta votes aye.

11248           Guthrie?

11249           \*Mr. Guthrie. Aye.

11250           \*The Clerk. Guthrie votes aye.

11251           Griffith?

11252           \*Mr. Griffith. Aye.

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11253           \*The Clerk. Griffith votes aye.  
11254           Bilirakis?  
11255           \*Mr. Bilirakis. Aye.  
11256           \*The Clerk. Bilirakis votes aye.  
11257           Johnson?  
11258           \*Mr. Johnson. Aye.  
11259           \*The Clerk. Johnson votes aye.  
11260           Bucshon?  
11261           \*Mr. Bucshon. Aye.  
11262           \*The Clerk. Bucshon votes aye.  
11263           Hudson?  
11264           [No response.]  
11265           \*The Clerk. Walberg?  
11266           \*Mr. Walberg. Aye.  
11267           \*The Clerk. Walberg votes aye.  
11268           Carter?  
11269           \*Mr. Carter. Aye.  
11270           \*The Clerk. Carter votes aye.  
11271           Duncan?  
11272           \*Mr. Duncan. Aye.  
11273           \*The Clerk. Duncan votes aye.

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11274 Palmer?  
11275 \*Mr. Palmer. Aye.  
11276 \*The Clerk. Palmer votes aye.  
11277 Dunn?  
11278 \*Mr. Dunn. Aye.  
11279 \*The Clerk. Dunn votes aye.  
11280 Curtis?  
11281 \*Mr. Curtis. Aye.  
11282 \*The Clerk. Curtis votes aye.  
11283 Lesko?  
11284 \*Mrs. Lesko. Aye.  
11285 \*The Clerk. Lesko votes aye.  
11286 Pence?  
11287 \*Mr. Pence. Aye.  
11288 \*The Clerk. Pence votes aye.  
11289 Crenshaw?  
11290 \*Mr. Crenshaw. Aye.  
11291 \*The Clerk. Crenshaw votes aye.  
11292 Joyce?  
11293 \*Mr. Joyce. Aye.  
11294 \*The Clerk. Joyce votes aye.

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11295 Armstrong?  
11296 \*Mr. Armstrong. Yes.  
11297 \*The Clerk. Armstrong votes aye.  
11298 Weber?  
11299 \*Mr. Weber. Aye.  
11300 \*The Clerk. Weber votes aye.  
11301 \*Mr. Allen. Aye.  
11302 \*The Clerk. Allen votes aye.  
11303 Balderson?  
11304 \*Mr. Balderson. [Inaudible.]  
11305 \*The Clerk. Balderson votes aye.  
11306 Fulcher?  
11307 \*Mr. Fulcher. Fulcher is aye.  
11308 \*The Clerk. Fulcher votes aye.  
11309 Pfluger?  
11310 \*Mr. Pfluger. Aye.  
11311 \*The Clerk. Pfluger votes aye.  
11312 Harshbarger?  
11313 \*Mrs. Harshbarger. [Inaudible.]  
11314 \*The Clerk. Harshbarger votes aye.  
11315 Miller-Meeks?

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11316 [No response.]  
11317 \*The Clerk. Cammack?  
11318 \*Mrs. Cammack. Aye.  
11319 \*The Clerk. Cammack votes aye.  
11320 Obernolte?  
11321 \*Mr. Obernolte. Aye.  
11322 \*The Clerk. Obernolte votes aye.  
11323 Pallone?  
11324 \*Mr. Pallone. No.  
11325 \*The Clerk. Pallone votes no.  
11326 Eshoo?  
11327 \*Ms. Eshoo. No.  
11328 \*The Clerk. Eshoo votes no.  
11329 DeGette?  
11330 \*Ms. DeGette. No.  
11331 \*The Clerk. DeGette votes no.  
11332 Schakowsky?  
11333 \*Ms. Schakowsky. No.  
11334 \*The Clerk. Schakowsky votes no.  
11335 Matsui?  
11336 \*Ms. Matsui. No.

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11337           \*The Clerk. Matsui votes no.  
11338           Castor?  
11339           \*Ms. Castor. [Inaudible.]  
11340           \*The Clerk. Castor votes no.  
11341           Sarbanes?  
11342           [No response.]  
11343           \*The Clerk. Tonko?  
11344           [No response.]  
11345           \*The Clerk. Clarke?  
11346           [No response.]  
11347           \*The Clerk. Cardenas?  
11348           [No response.]  
11349           \*The Clerk. Ruiz?  
11350           \*Mr. Ruiz. [Inaudible.]  
11351           \*The Clerk. Ruiz votes no.  
11352           Peters?  
11353           \*Mr. Peters. No.  
11354           \*The Clerk. Peters votes no.  
11355           Dingell?  
11356           \*Mrs. Dingell. No.  
11357           \*The Clerk. Dingell votes no.

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11358           Veasey?  
11359           \*Mr. Veasey. No.  
11360           \*The Clerk. Veasey votes no.  
11361           Kuster?  
11362           \*Ms. Kuster. No.  
11363           \*The Clerk. Kuster votes no.  
11364           Kelly?  
11365           \*Ms. Kelly. No.  
11366           \*The Clerk. Kelly votes no.  
11367           Barragan?  
11368           [No response.]  
11369           \*The Clerk. Blunt Rochester?  
11370           \*Ms. Blunt Rochester. No.  
11371           \*The Clerk. Blunt Rochester votes no.  
11372           Soto?  
11373           \*Mr. Soto. No.  
11374           \*The Clerk. Soto votes no.  
11375           Craig?  
11376           \*Ms. Craig. No.  
11377           \*The Clerk. Craig votes no.  
11378           Schrier?

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11379 [No response.]

11380 \*The Clerk. Trahan?

11381 \*Mrs. Trahan. No.

11382 \*The Clerk. Trahan votes no.

11383 Fletcher?

11384 \*Mrs. Fletcher. No.

11385 \*The Clerk. Fletcher votes no.

11386 \*The Chair. Members seeking to be recorded?

11387 \*Mr. Cardenas. Cardenas, no.

11388 \*The Clerk. Mr. Cardenas votes no.

11389 \*Mr. Sarbanes. Sarbanes?

11390 \*The Clerk. Mr. Sarbanes is not recorded.

11391 \*Mr. Sarbanes. No.

11392 \*The Clerk. Sarbanes votes no.

11393 \*The Chair. Ms. Clarke?

11394 \*The Clerk. Ms. Clarke is not recorded.

11395 \*Ms. Clarke. Ms. Clarke votes no.

11396 \*The Clerk. Clarke votes no.

11397 \*The Chair. Is Mr. Tonko recorded?

11398 \*The Clerk. Mr. Tonko is not recorded.

11399 \*Mr. Tonko. Tonko votes nay.

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11400           \*The Clerk. Tonko votes no.

11401           \*The Chair. Dr. Burgess, is Dr. Burgess recorded?

11402           \*Mr. Burgess. [Inaudible.]

11403           \*The Clerk. Mr. Burgess votes aye.

11404           [Pause.]

11405           \*The Chair. The clerk will report.

11406           \*The Clerk. Chair Rodgers, on that vote we have 27 ayes

11407 and 21 noes.

11408           \*The Chair. The ayes have it, and the bill is adopted.

11409           The chair calls up H.R. 1141, and asks the clerk to

11410 report.

11411           \*The Clerk. H.R. 1141, to repeal the natural gas tax.

11412           \*The Chair. Without objection, the first reading of the

11413 bill is dispensed with, and the bill is open for an amendment

11414 at any point.

11415           So ordered.

11416           [The bill follows:]

11417

11418           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

11419

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11420           \*The Chair. Does anyone seek to be recognized on the  
11421 bill?

11422           \*Mr. Pfluger. Madam Chair, I seek recognition to speak  
11423 in favor of 1141.

11424           \*The Chair. The gentleman is recognized for five  
11425 minutes.

11426           \*Mr. Pfluger. Thank you, Madam Chair.

11427           Yesterday Secretary Granholm said that she is so  
11428 grateful for the relief high American oil and natural gas  
11429 production has brought to Europe in the wake of Russia's  
11430 invasion of Ukraine. And while I couldn't agree more, this  
11431 is quite a departure from the Administration's rhetoric for  
11432 the past two years, and an even bigger departure from their  
11433 policies.

11434           Climate advisor John Kerry also recognized the  
11435 unbelievable technological capacity of U.S. natural gas and  
11436 oil companies, and he is right to do so. As of 2021, the  
11437 U.S. emission intensity level was three times lower than  
11438 China, four times lower than India, and over four times lower  
11439 than former Soviet Union countries. This decline in  
11440 emissions is due to increased production of U.S. natural gas.

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11441           Even as the industry sets production records, methane  
11442 emissions from oil and gas have continued their downward  
11443 trend nearly 9 percent since 2005, 4 percent since 2020, and,  
11444 all in all, for several decades, almost 15 percent without  
11445 the government telling them to do any of this.

11446           Between 2005 and 2019, CO2 emissions from the U.S. power  
11447 sector declined by 28 percent, with the generation of power  
11448 from natural gas accounting for more than half of said  
11449 decline. American producers accomplished these reductions in  
11450 emissions while increasing production and helping wean Europe  
11451 off Russian gas due to free market policies, not government  
11452 intervention.

11453           My legislation being marked up today, the Natural Gas  
11454 Tax Repeal Act will repeal the ill-conceived tax included in  
11455 the IRA, which, if implemented, will handicap technological  
11456 innovation, reduce supplies of affordable energy, and  
11457 increase both cost and emissions.

11458           I would like to enter a letter for the record, Madam  
11459 Chair, that was written in 2021 by members of this -- several  
11460 Democratic members of this committee, in fact, a Democratic  
11461 letter to the former leadership, including Speaker Pelosi.

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11462 And to use their words and quote from the letter, it said,  
11463 "Limiting capital for these industries will impede their  
11464 ability to continue investing in the technologies needed to  
11465 meet growing demand for energy while reducing emissions. We  
11466 firmly believe that the budget reconciliation bill should not  
11467 unduly disadvantage any industry, and oppose the targeting of  
11468 U.S. oil and natural gas and refining with increased taxes  
11469 and fees and the exclusion of natural gas production from  
11470 clean energy initiatives.'" It is ironic that we are looking  
11471 at this letter today, when the President's budget came out  
11472 specifically targeting tax increases for the oil and gas  
11473 industry.

11474 \*The Chair. Without objection, so ordered.

11475 [The information follows:]

11476

11477 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

11478

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11479           \*Mr. Pfluger. Thank you, Madam Chair.

11480           My colleagues are right on this letter. I agree with  
11481 them. This policy will cost American jobs. It will move  
11482 America further away from energy independence, and it will  
11483 slow technological advances towards more efficient ways of  
11484 doing business. It is unfortunate that, even when writing  
11485 this letter, they still voted in favor of the IRA bill.

11486           If you really want to start reducing greenhouse gases,  
11487 then produce here. Remember when a witness in this room just  
11488 several weeks ago said, and I quote, "Air knows no  
11489 boundaries.'" He was a climate activist, and he was right.  
11490 And because of that we should reward the location and the  
11491 area where we are producing cleaner and more efficiently,  
11492 where we have done much more than the rest of the world, and  
11493 not because the government is telling us, but because  
11494 industry and innovation lead, and they do the right thing,  
11495 and it is because they are providing affordable, reliable  
11496 energy here and for our allies.

11497           But instead, the President wants to reward China,  
11498 Russia, OPEC, and foreign producers instead of actually  
11499 cutting emissions. Air knows no boundaries, but yet we are

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11500 outsourcing the production of energy, which is much less  
11501 efficient and dirtier, with higher methane emissions and  
11502 other toxins than our own production and our own reductions.

11503 Every witness that we have had in this Congress has  
11504 testified that hydrocarbons and fossil fuels will continue to  
11505 increase, and that they are here to stay. Any realistic view  
11506 of energy demand understands that they are going to grow in  
11507 quantity. Let's reward quality. Stop this madness. Stop  
11508 the assault. Produce here.

11509 So I urge a yes vote on the passage of H.R. 1141 to  
11510 repeal this tax, unleash American energy, and stop punishing  
11511 American producers.

11512 With that, I yield back.

11513 \*The Chair. The gentleman yields back. Is there  
11514 further discussion?

11515 The ranking member is recognized for five minutes.

11516 \*Mr. Pallone. Thank you, Madam Chair. And I respect  
11517 Mr. Pfluger, but I just want to say that I really disagree  
11518 with your analysis of what this methane provision in the  
11519 Inflation Reduction Act would do.

11520 First of all, I want to say that methane has a warming

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11521 capability 80 times greater than carbon dioxide. It is  
11522 literally a super pollutant. More than half of the warming  
11523 that we will experience over the next 20 years will be from  
11524 the continued release of methane and other short-lived  
11525 pollutants due to current emissions. And we have to work to  
11526 limit methane emissions immediately if we want to effectively  
11527 tackle climate change and protect public health.

11528           When we -- when some of us -- and there were some  
11529 Republicans, too -- came -- went to the Paris -- the last  
11530 Paris conference -- I can't remember if it was in Egypt, I  
11531 think it was in Egypt -- we were very proud of the fact that  
11532 we could go there and say that the United States was taking  
11533 the lead on reducing methane, because it really was one of  
11534 the major, if not the major thing that countries, pursuant to  
11535 the Paris Agreement, were trying to effectuate.

11536           And what I want to stress is really two things, that if  
11537 you cut methane pollution from oil and gas, it is one of the  
11538 most immediate and cost effective ways to slow the rate of  
11539 global warming but at the same time improving air quality and  
11540 protecting public health. And if you focus on this super  
11541 pollutant, it will bring much-needed protection to

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11542 communities living near these polluting facilities, many of  
11543 which are in my home state of New Jersey.

11544 But what I really want to stress is to talk briefly  
11545 about how we got to this, because I think there is a lot of  
11546 confusion on the part of the Republicans about what this  
11547 provision does that you are trying to repeal. The original  
11548 provision in the House-passed Build Back Better Act basically  
11549 was a mandate to industry to eliminate methane pollution over  
11550 a period of time. And I guess you would have called that  
11551 maybe a command and control provision.

11552 But there were Democrats in the Senate who refused to  
11553 adopt this procedure. They said that in their states that  
11554 they believe that industry could support a methane reduction  
11555 plan if certain conditions were met. And that is what we  
11556 did. They said, first of all, we don't want it to be a  
11557 regulation, we want it to be an incentive through a tax to  
11558 actually address this issue.

11559 And they said that what they were really trying to do  
11560 was to make sure that, if they got a permit to capture the --  
11561 to set up the pipes and capture the permit so it could be  
11562 reused, which they supported, and we didn't impose any kind

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11563 of a fee while they were trying to accomplish that, or even  
11564 if they couldn't get the permit, that we would extend it and  
11565 there would be no fee until they actually had the permit and  
11566 provided them with financial incentives before there was any  
11567 fee, that they could support this.

11568           And so the program actually provides \$1.5 billion to  
11569 fund and provide assistance to accelerate reduction from  
11570 petroleum and natural gas systems. And about half of that  
11571 was for small producers. The biggest concern was for the  
11572 small producers.

11573           So what I want you to understand is that this was done  
11574 with industry. I am sure there is always going to be some  
11575 industry people that say, well, let's repeal it. But it  
11576 really was done with industry. It was done as a way of  
11577 trying to capture the methane and reusing it, and it was done  
11578 in a way that provides the money up front before any penalty  
11579 would actually be imposed. And if the EPA didn't give you  
11580 the permit because it was taking too long -- because there  
11581 was some concern about that -- you didn't have to pay any fee  
11582 until you actually got the permit.

11583           So I don't know how to -- I guess the reason I am so --

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11584 I mean, in many ways, I think that this bill is kind of the  
11585 most egregious to me, because we went -- of everything that  
11586 is being discussed today -- because we went so far to, you  
11587 know, deal with the industry, come up with something that  
11588 wasn't command and control, come up with something that was  
11589 actually going to have a significant impact on reducing a  
11590 terrible pollutant without really hurting anybody in any  
11591 significant way.

11592           And I know my time is about to run out, but I really  
11593 think this is a step in the wrong direction. And I think --  
11594 and I don't want to tell you that you don't know what you are  
11595 doing, but I really think that if you look at what is  
11596 actually being accomplished here, it is not at all what you  
11597 think. It is not this mandate. It is not a command and  
11598 control. It is an -- actually, a way of trying to  
11599 incentivize the oil and gas industry to do the right thing.  
11600 And for the most part, they don't object to it.

11601           So, you know, again, I don't -- you know, I don't know  
11602 if you are going to believe me, but this is the history of  
11603 what we were trying to accomplish. And I just wanted you to  
11604 know that.

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11605           So, you know, that is why I oppose this bill, for all  
11606 these reasons. Thank you, Madam Chair.

11607           \*The Chair. The gentleman yields back. Is there  
11608 further discussion?

11609           The gentleman from Texas, for what purpose do you seek  
11610 recognition?

11611           \*Mr. Burgess. Thank you, Madam Chair. I seek to yield  
11612 time to Mr. Pfluger for the purpose of response.

11613           \*The Chair. The gentleman is recognized for five  
11614 minutes.

11615           \*Mr. Pfluger. Thank you, Madam Chair. I appreciate the  
11616 dialogue, but I think the facts here don't support what we  
11617 just heard.

11618           First off, there was no Republican say in the IRA.  
11619 There was no Republican discussion. There was no work that  
11620 was done across the aisle with any Member of the opposite  
11621 party.

11622           And in the field hearing, which I referred to in our  
11623 subcommittee markup, we went to Midland, Texas. We talked to  
11624 the producers. We engaged with local trade organizations,  
11625 and we had these conversations. And quite frankly, not a

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11626 single one of them likes this.

11627           But I think the thing we can agree on is every single  
11628 one of them talked to us about the methods, tactics,  
11629 techniques, and procedures that they have demonstrated  
11630 reducing methane over the past couple of decades. And they  
11631 have done it at a level -- while we have increased crude oil  
11632 production to the tune of 1 million barrels to now over 5.5  
11633 million barrels in the Permian Basin, they have done it to  
11634 the level where natural gas production has now risen to a  
11635 level where we, as the United States of America, are the  
11636 number-one producer. And so I appreciate the ability to have  
11637 this discussion. We are already doing this. And so no, I  
11638 don't believe that industry was consulted.

11639           Those that have the most to lose on this are the  
11640 independent producers who produce 85 to 90 percent of the  
11641 crude oil, natural gas, and hydrocarbon production in our  
11642 country. And that is why this is, to me, egregious, is  
11643 because we should be celebrating the fact that they are doing  
11644 this on their own, and not actually penalizing them. And we  
11645 should be penalizing countries like China and others in the  
11646 form of near-shoring production here, keeping the jobs in the

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11647 United States of America, and creating a strong energy sector  
11648 that underpins our entire economy.

11649 And when you look at the President's budget today, he  
11650 announced \$31 billion in new taxes on the energy sector,  
11651 specifically the oil and gas sector.

11652 \*Mr. Pallone. No, I will ask --

11653 \*Mr. Pfluger. That came out today. And the verbiage  
11654 that he uses is to attack the tax credits and incentives that  
11655 all businesses get, specifically in the energy industry.

11656 I would love to have a conversation. We agreed to have  
11657 that conversation in the subcommittee hearing, and I hope  
11658 that we can move forward because we cannot afford -- it was  
11659 said earlier in this hearing that -- something about keeping  
11660 -- you know, that the light bulb wants to come on, keeping  
11661 the lights on, and I think doing that starts with good  
11662 American energy that is affordable and reliable. And I  
11663 think --

11664 \*Mr. Pallone. Will the gentleman --

11665 \*Mr. Pfluger. The gentleman from Texas --

11666 \*Mr. Burgess. Well, I am going to reclaim my time.

11667 \*Mr. Pfluger. I yield back to you, Mr. Burgess.

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11668           \*Mr. Burgess. And Mr. Pfluger, I agree with you,  
11669 absolutely. But really, it is not just the independent  
11670 petroleum producers who are penalized. It is ultimately the  
11671 consumer who is penalized. Ultimately, they are the ones who  
11672 are going to pay the price.

11673           Did the gentleman from North Dakota seek time?

11674           \*Mr. Armstrong. Yes.

11675           \*Mr. Burgess. I will be happy to yield to the gentleman  
11676 from North Dakota.

11677           \*Mr. Armstrong. Thank you, Mr. Chair.

11678           I was part of a lot of these conversations. I was part  
11679 of this debate on the floor. And I think it is important to  
11680 recognize the vast majority of my friends in the oil and gas  
11681 industry that negotiated this deal produce 85 percent of  
11682 their oil off of U.S. shore, 85 percent of their oil is  
11683 produced outside of the U.S. territory.

11684           Probably more so than anybody else, I understand what  
11685 dual regulation of the oil patch means. We are the  
11686 geographic center of North America. We are now double-  
11687 regulated from wellhead to market. And with all due respect  
11688 to my friend from Texas, Mr. Pfluger, they are not just doing

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11689 it on their own. This has never been a conversation about  
11690 regulation versus no regulation. This has been a  
11691 conversation about regulation, state regulation versus  
11692 Federal regulation. New Mexico has methane emission  
11693 regulation. North Dakota has methane regulation emission.  
11694 All of these places have a regulation emission.

11695         And if we consulted with most of the people in the oil  
11696 and gas industry -- we talk about big oil a lot, and we like  
11697 to throw it out, and we like to put it everywhere it is. The  
11698 people who are -- Big Oil is not in North Dakota. They don't  
11699 exist there. It is all small oil and gas companies,  
11700 mid-majors, all of those things. But the reality is, when  
11701 you come from a place like I do, and you are trying to move  
11702 your product to market, and now you are being regulated by --  
11703 both by the Federal Government and the state government from  
11704 wellhead to market, it is an incredible strategic  
11705 disadvantage, and it is a strategic advantage for the  
11706 communities in North Dakota, for our national security.

11707         And I have seen what the EPA does -- tries to do to a  
11708 small company if they get sideways of the old methane  
11709 regulations, not even the new ones. So I completely support

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11710 this bill, and I yield back.

11711 \*Mr. Burgess. I will reclaim my time and yield back.

11712 \*The Chair. Is there further discussion on the  
11713 amendment?

11714 For what purpose does Ms. Schakowsky seek --

11715 \*Ms. Schakowsky. I move to strike the last word.

11716 \*The Chair. The lady is recognized for five minutes to  
11717 strike the last word.

11718 \*Ms. Schakowsky. I was -- I am so grateful to the  
11719 ranking member of the full committee, Frank Pallone, for the  
11720 history that he gave, and his concerns, which I share 100  
11721 percent, about methane.

11722 But I would like to yield my time to him to set the  
11723 record straight again on the experience that we -- that you  
11724 know we did have working with industry, et cetera.

11725 \*Mr. Pallone. Well, thank you. I thank the gentlewoman  
11726 for those kind remarks.

11727 Let me just go back to Mr. Pfluger. I am not going to  
11728 take a lot of time; I know the hour is late.

11729 I wasn't suggesting that this was negotiated with the  
11730 Republicans. It is true that, you know, as we were doing the

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11731 Inflation Reduction Act in late August, it had already passed  
11732 the House. It was discussions with Senate Democrats who, you  
11733 know, we wanted to make sure that they supported this, who  
11734 changed it from the Build Back Better Act. It was not Senate  
11735 Republicans.

11736 But it was definitely with the small producers. I don't  
11737 want you to think that this was something that, you know,  
11738 Exxon or Mobil, whatever, came to us and wanted to do. It  
11739 was the small producers who were concerned about having to  
11740 meet a permit deadline and not having the resources to  
11741 achieve it. And that is where we said -- I think, of this  
11742 1.5 billion, about 800 million was specifically for those  
11743 small, independent producers that you mentioned.

11744 And I am not going to go through the list here, I don't  
11745 have the document, but they were the ones that were concerned  
11746 that, if we just mandated this as opposed to providing a  
11747 financial incentive up front to them before they actually had  
11748 -- were forced to pay any kind of a fine or fee, and  
11749 specifically that if there was a problem getting the permits  
11750 to do the pipes and capture the methane, that they -- that no  
11751 penalty or fee would be imposed on them until they were

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11752 actually able to get the permit.

11753           So that is what I am talking about. We did go out of  
11754 our way to change this significantly to achieve that purpose.  
11755 And again, I am sure, if they had a choice, they would say,  
11756 "Well, just repeal this thing outright rather than do what  
11757 you are doing, Pallone.'" But it was definitely done in that  
11758 regard, and it changed significantly from what was in Build  
11759 Back Better because of the conversations and negotiations  
11760 with those small, independent producers.

11761           I mean, you don't have to believe me, but I just wanted  
11762 you to know -- I had to state this, because I do think that  
11763 this is a kind of a win-win situation for everybody: you  
11764 reduce this terrible super pollutant, you achieve the goals  
11765 of the Paris Agreement. And sure, maybe China is not going  
11766 to go along with it, but we set the precedent that we are the  
11767 best actor, if you will, which I don't think is a bad thing.  
11768 And I don't think we do it in a way that is really harmful to  
11769 anyone or raises costs.

11770           And remember, once this methane is captured it is  
11771 reused. So it is even -- I mean, from -- I think it is a  
11772 total win-win situation.

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11773 But in any case, I will yield back. Thank you, Madam --

11774 \*The Chair. The gentleman yields back. Are there  
11775 further amendments or further discussion?

11776 The -- for what purpose does the lady from Florida seek  
11777 recognition?

11778 \*Ms. Castor. Madam Chair, I have an amendment at the  
11779 desk numbered 1141FCN-01.

11780 \*The Chair. Okay, just a minute here. Did I mess up?

11781 \*Ms. Castor. Yes.

11782 \*The Chair. I did.

11783 \*Mr. Pallone. How, did you miss --

11784 \*Ms. Castor. Frank had an amendment.

11785 \*Mr. Pallone. I missed --

11786 \*The Chair. We are on the bottom underlying bill.  
11787 Okay, okay, okay. Here we go. The clerk will report the  
11788 amendment.

11789 \*The Clerk. Amendment to H.R. 1141, offered by Ms.  
11790 Castor. Page 2, line 4, strike "date of enactment," and  
11791 insert "effective date."

11792 \*The Chair. Without objection, the reading of the  
11793 amendment is dispensed with.

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11794 [The amendment of Ms. Castor follows:]

11795

11796 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

11797

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11798           \*The Chair. Ms. Castor is recognized for five minutes  
11799 in support of her amendment.

11800           \*Ms. Castor. Thank you, Madam Chair. I am going to  
11801 start by asking unanimous consent to submit two letters for  
11802 the record, one from the Evangelical Environmental Network  
11803 and one from the Clean Air Task Force.

11804           \*The Chair. Without objection, so ordered.

11805           [The information follows:]

11806

11807           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

11808

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11809           \*Ms. Castor. And just to give you a little flavor,  
11810 colleagues, of the -- what is in these letters, first from  
11811 the Evangelical Environmental Network, "As pro-life  
11812 evangelicals, we have a special concern for the unborn. We  
11813 want children to be born healthy and unhindered by the  
11814 ravages of pollution even before they take their first  
11815 breath. The medical community has long known that unborn  
11816 children are especially vulnerable to environmental impacts.  
11817 Of these impacts, fossil fuels are the most serious threat to  
11818 children's health worldwide.

11819           Currently, 17.3 million Americans, including 3.9 million  
11820 children under 18, live within a half mile radius of an  
11821 active oil and gas production operation. In Pennsylvania  
11822 alone, that amounts to 1.4 million total individuals and over  
11823 200,000 children. This makes addressing fugitive and leaking  
11824 methane from both existing and new oil and gas facilities a  
11825 biblical and moral mandate to defend the unborn and all of  
11826 God's children.''

11827           Then, from the Climate Action Network that includes the  
11828 Environmental Defense Fund that has done extensive work on  
11829 methane control, they write, "Reducing oil and gas methane

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11830 emissions is one of the most efficient and effective ways to  
11831 address climate change, reduce needless waste, and protect  
11832 the health of millions of Americans living in or around  
11833 active oil and gas sites.

11834 AFTER 6:00 p.m.

11835 Congress made clear that addressing methane was a  
11836 priority when they passed the Methane Emissions Reduction  
11837 Program in the Inflation Reduction Act last year. The groups  
11838 listed below strongly oppose efforts to repeal the MERP by  
11839 passing the Natural Gas Tax Repeal Act or through other  
11840 means. Doing so would harm the climate, impair public  
11841 health, increase waste, and cost our economy valuable jobs.'

11842 I think, like Ranking Member Pallone stated, this bill  
11843 is dangerous, and it is why it is attracting so much  
11844 opposition all across the spectrum. Methane pollution is a  
11845 potent greenhouse gas. It causes 25 percent of today's  
11846 global heating all across the chain, from extraction to  
11847 distribution to burning it. Cutting methane waste and  
11848 pollution from oil and gas production is the fastest way to  
11849 slow the harmful, costly impacts of the climate crisis.

11850 There was a report out just this week from the

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11851 International Energy Agency that laid out a scary surge that  
11852 is going on in methane pollution and waste from oil and gas.  
11853 We are at the highest levels right now, measured, when it  
11854 comes to methane pollution.

11855 While it is a very significant threat, cleaning up  
11856 methane also presents an enormous opportunity to create jobs,  
11857 to create jobs plugging the wells, plugging the leaks,  
11858 reducing pollution. And at a time that we know that the oil  
11859 and gas industry has banked enormous profits, I do not think  
11860 it is too much to ask that we work through this initiative in  
11861 a collaborative way to plug the leaks, eliminate waste, work  
11862 together on developing the modern tools necessary to find and  
11863 repair these leaks and phase out flaring.

11864 And if all of that wasn't enough, my amendment is pretty  
11865 simple. Another major problem with this Republican bill is  
11866 that it will increase the Federal deficit. So yes, on the  
11867 day that the President submits his budget, we are all focused  
11868 on ways to cut the debt and the deficit. The bill will  
11869 eliminate billions of dollars in revenue. And that is why my  
11870 amendment would require CBO to certify that it will not  
11871 increase the Federal deficit before this act can go into

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11872 effect. If our GOP colleagues believe this bill will not  
11873 increase the Federal deficit, no harm in supporting my  
11874 amendment.

11875 So for all of those reasons, I urge my colleagues to  
11876 adopt our amendment. But in the end, this bill is dangerous,  
11877 and we are going to fight it with all that we have.

11878 Thank you. I yield back.

11879 \*The Chair. Is there further discussion on the  
11880 amendment?

11881 The gentleman from Indiana, for what purpose?

11882 \*Mr. Bucshon. Move to strike the last word.

11883 \*The Chair. The gentleman is recognized for five  
11884 minutes.

11885 \*Mr. Bucshon. Yes, I am just going to be brief. I did  
11886 -- I just find it ironic that my colleague is using a pro-  
11887 life letter defending the unborn as a reason for  
11888 environmental regulation. I am happy that we have maybe  
11889 converted some people finally to be -- to care about the  
11890 unborn child.

11891 And so I would also argue that letter is likely not from  
11892 an organization that truly supports life, but is an

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11893 environmental activist group hiding behind a name.

11894 So with that, I yield back.

11895 \*The Chair. The gentleman yields back. Is there  
11896 further discussion on the amendment?

11897 The vote occurs on the amendment. A roll call has been  
11898 requested. The clerk will call the roll.

11899 \*The Clerk. Rodgers?

11900 \*The Chair. No.

11901 \*The Clerk. Rodgers votes no.

11902 Burgess?

11903 \*Mr. Burgess. No.

11904 \*The Clerk. Burgess votes no.

11905 Latta?

11906 \*Mr. Latta. [Inaudible.]

11907 \*The Clerk. Latta votes no.

11908 Guthrie?

11909 \*Mr. Guthrie. No.

11910 \*The Clerk. Guthrie votes no.

11911 Griffith?

11912 \*Mr. Griffith. No.

11913 \*The Clerk. Griffith votes no.

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11914 Bilirakis?  
11915 \*Mr. Bilirakis. [Inaudible.]  
11916 \*The Clerk. Bilirakis votes no.  
11917 Johnson?  
11918 \*Mr. Johnson. No.  
11919 \*The Clerk. Johnson votes no.  
11920 Bucshon?  
11921 \*Mr. Bucshon. [Inaudible.]  
11922 \*The Clerk. Bucshon votes no.  
11923 Hudson?  
11924 [No response.]  
11925 \*The Clerk. Walberg?  
11926 \*Mr. Walberg. No.  
11927 \*The Clerk. Walberg votes no  
11928 Carter?  
11929 \*Mr. Carter. No.  
11930 \*The Clerk. Carter votes no.  
11931 Duncan?  
11932 [No response.]  
11933 \*The Clerk. Palmer?  
11934 \*Mr. Palmer. No.

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11935           \*The Clerk. Palmer votes no.  
11936           Dunn?  
11937           \*Mr. Dunn. No.  
11938           \*The Clerk. Dunn votes no.  
11939           Curtis?  
11940           \*Mr. Curtis. No.  
11941           \*The Clerk. Curtis votes no.  
11942           Lesko?  
11943           [No response.]  
11944           \*The Clerk. Pence?  
11945           \*Mr. Pence. No.  
11946           \*The Clerk. Pence votes no.  
11947           \*Mrs. Lesko. No.  
11948           \*The Clerk. Lesko votes no.  
11949           Crenshaw?  
11950           \*Mr. Crenshaw. No.  
11951           \*The Clerk. Crenshaw votes no.  
11952           Joyce?  
11953           \*Mr. Joyce. No.  
11954           \*The Clerk. Joyce votes no.  
11955           Armstrong?

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11956           \*Mr. Armstrong. No.  
11957           \*The Clerk. Armstrong votes no.  
11958           Weber?  
11959           \*Mr. Weber. No.  
11960           \*The Clerk. Weber votes no.  
11961           \*Mr. Allen. No.  
11962           \*The Clerk. Allen votes no.  
11963           Balderson?  
11964           \*Mr. Balderson. No.  
11965           \*The Clerk. Balderson votes no.  
11966           Fulcher?  
11967           \*Mr. Fulcher. Fulcher is no.  
11968           \*The Clerk. Fulcher votes no.  
11969           Pfluger?  
11970           \*Mr. Pfluger. [Inaudible.]  
11971           \*The Clerk. Pfluger votes no.  
11972           Harshbarger?  
11973           \*Mrs. Harshbarger. [Inaudible.]  
11974           \*The Clerk. Harshbarger votes no.  
11975           Miller-Meeks?  
11976           [No response.]

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11977 \*The Clerk. Cammack?  
11978 \*Mrs. Cammack. [Inaudible.]  
11979 \*The Clerk. Cammack votes no.  
11980 Obernolte?  
11981 \*Mr. Obernolte. [Inaudible.]  
11982 \*The Clerk. Obernolte votes no.  
11983 Pallone?  
11984 \*Mr. Pallone. Aye.  
11985 \*The Clerk. Pallone votes aye.  
11986 Eshoo?  
11987 \*Ms. Eshoo. Aye.  
11988 \*The Clerk. Eshoo votes aye.  
11989 DeGette?  
11990 \*Ms. DeGette. Aye.  
11991 \*The Clerk. DeGette votes aye.  
11992 Schakowsky?  
11993 \*Ms. Schakowsky. Aye.  
11994 \*The Clerk. Schakowsky votes aye.  
11995 Matsui?  
11996 \*Ms. Matsui. Aye.  
11997 \*The Clerk. Matsui votes aye.

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11998 Castor?  
11999 \*Ms. Castor. [Inaudible.]  
12000 \*The Clerk. Castor votes aye.  
12001 Sarbanes?  
12002 \*Mr. Sarbanes. Aye.  
12003 \*The Clerk. Sarbanes votes aye.  
12004 Tonko?  
12005 [No response.]  
12006 \*The Clerk. Clarke?  
12007 \*Ms. Clarke. Aye.  
12008 \*The Clerk. Clarke votes aye.  
12009 Cardenas?  
12010 \*Mr. Cardenas. Aye.  
12011 \*The Clerk. Cardenas votes aye.  
12012 Ruiz?  
12013 [No response.]  
12014 \*The Clerk. Peters?  
12015 \*Mr. Peters. [Inaudible.]  
12016 \*The Clerk. Peters votes aye.  
12017 Dingell?  
12018 \*Mrs. Dingell. Aye.

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12019           \*The Clerk. Dingell votes aye.  
12020           Veasey?  
12021           \*Mr. Veasey. Aye.  
12022           \*The Clerk. Veasey votes aye.  
12023           Kuster?  
12024           \*Ms. Kuster. Aye.  
12025           \*The Clerk. Kuster votes aye.  
12026           Kelly?  
12027           \*Ms. Kelly. Aye.  
12028           \*The Clerk. Kelly votes aye.  
12029           Barragan?  
12030           [No response.]  
12031           \*The Clerk. Blunt Rochester?  
12032           \*Ms. Blunt Rochester. Aye.  
12033           \*The Clerk. Blunt Rochester votes aye.  
12034           Soto?  
12035           \*Mr. Soto. Aye.  
12036           \*The Clerk. Soto votes aye.  
12037           Craig?  
12038           \*Ms. Craig. Aye.  
12039           \*The Clerk. Craig votes aye.

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12040 Schrier?

12041 [No response.]

12042 \*The Clerk. Trahan?

12043 \*Mrs. Trahan. Aye.

12044 \*The Clerk. Trahan votes aye.

12045 Fletcher?

12046 \*Mrs. Fletcher. Aye.

12047 \*The Clerk. Fletcher votes aye.

12048 \*Mr. Duncan. How am I recorded?

12049 \*The Clerk. Mr. Duncan is not recorded.

12050 \*Mr. Duncan. No.

12051 \*The Clerk. Duncan votes no.

12052 \*The Chair. How is Tonko recorded?

12053 \*The Clerk. Mr. Tonko is not recorded.

12054 \*Mr. Tonko. Tonko votes aye.

12055 \*The Clerk. Tonko votes aye.

12056 [Pause.]

12057 \*The Clerk. Chair Rodgers, on that vote we have 21 ayes

12058 and 27 noes.

12059 \*The Chair. Not adopted.

12060 Are there further amendments?

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12061           The question now occurs on approving H.R. 1141, as  
12062 amended. A roll call vote has been requested. The clerk  
12063 will call the roll.

12064           \*The Clerk. Rodgers?

12065           \*The Chair. Aye.

12066           \*The Clerk. Rodgers votes aye.

12067           Burgess?

12068           \*Mr. Burgess. Votes aye.

12069           \*The Clerk. Burgess votes aye.

12070           Latta?

12071           \*Mr. Latta. Aye.

12072           \*The Clerk. Latta votes aye.

12073           Guthrie?

12074           [No response.]

12075           \*The Clerk. Griffith?

12076           \*Mr. Griffith. Aye.

12077           \*The Clerk. Griffith votes aye.

12078           Bilirakis?

12079           \*Mr. Bilirakis. Aye.

12080           \*The Clerk. Bilirakis votes aye.

12081           Johnson?

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12082           \*Mr. Johnson.   Aye.  
12083           \*The Clerk.   Johnson votes aye.  
12084           Bucshon?  
12085           \*Mr. Bucshon.   Aye.  
12086           \*The Clerk.   Bucshon votes aye.  
12087           Hudson?  
12088           [No response.]  
12089           \*The Clerk.   Walberg?  
12090           \*Mr. Walberg.   Aye.  
12091           \*The Clerk.   Walberg votes aye.  
12092           Carter?  
12093           [No response.]  
12094           \*The Clerk.   Duncan?  
12095           \*Mr. Duncan.   Aye.  
12096           \*The Clerk.   Duncan votes aye.  
12097           Palmer?  
12098           \*Mr. Palmer.   Aye.  
12099           \*The Clerk.   Palmer votes aye.  
12100           Dunn?  
12101           \*Mr. Dunn.    Aye.  
12102           \*The Clerk.   Dunn votes aye.

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12103           Curtis?  
12104           \*Mr. Curtis.   Aye.  
12105           \*The Clerk.   Curtis votes aye.  
12106           Lesko?  
12107           \*Mrs. Lesko.   Aye.  
12108           \*The Clerk.   Lesko votes aye.  
12109           Pence?  
12110           \*Mr. Pence.   Aye.  
12111           \*The Clerk.   Pence votes aye.  
12112           Crenshaw?  
12113           \*Mr. Crenshaw. Aye.  
12114           \*The Clerk.   Crenshaw votes aye.  
12115           Joyce?  
12116           \*Mr. Joyce.   Aye.  
12117           \*The Clerk.   Joyce votes aye.  
12118           Armstrong?  
12119           [No response.]  
12120           \*The Clerk.   Weber?  
12121           \*Mr. Weber.   Aye.  
12122           \*The Clerk.   Weber votes aye.  
12123           \*Mr. Allen.   Aye.

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12124 \*The Clerk. Allen votes aye.  
12125 Balderson?  
12126 \*Mr. Balderson. [Inaudible.]  
12127 \*The Clerk. Balderson votes aye.  
12128 Fulcher?  
12129 \*Mr. Fulcher. Fulcher is aye.  
12130 \*The Clerk. Fulcher votes aye.  
12131 Pfluger?  
12132 \*Mr. Pfluger. Aye.  
12133 \*The Clerk. Pfluger votes aye.  
12134 Harshbarger?  
12135 \*Mrs. Harshbarger. [Inaudible.]  
12136 \*The Clerk. Harshbarger votes aye.  
12137 Miller-Meeks?  
12138 [No response.]  
12139 \*The Clerk. Cammack?  
12140 \*Mrs. Cammack. Aye.  
12141 \*The Clerk. Cammack votes aye.  
12142 Obernolte?  
12143 \*Mr. Obernolte. Aye.  
12144 \*The Clerk. Obernolte votes aye.

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12145 Pallone?  
12146 \*Mr. Pallone. Pallone votes no.  
12147 \*The Clerk. Pallone votes no.  
12148 Eshoo?  
12149 \*Ms. Eshoo. No.  
12150 \*The Clerk. Eshoo votes no.  
12151 DeGette?  
12152 \*Ms. DeGette. No.  
12153 \*The Clerk. DeGette votes no.  
12154 Schakowsky?  
12155 \*Ms. Schakowsky. No.  
12156 \*The Clerk. Schakowsky votes no.  
12157 Matsui?  
12158 \*Ms. Matsui. No.  
12159 \*The Clerk. Matsui votes no.  
12160 Castor?  
12161 \*Ms. Castor. No.  
12162 \*The Clerk. Castor votes no.  
12163 Sarbanes?  
12164 \*Mr. Sarbanes. [Inaudible.]  
12165 \*The Clerk. Sarbanes votes no.

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12166 Tonko?  
12167 \*Mr. Tonko. [Inaudible.]  
12168 \*The Clerk. Tonko votes no.  
12169 Clarke?  
12170 \*Ms. Clarke. No.  
12171 \*The Clerk. Clarke votes no.  
12172 Cardenas?  
12173 \*Mr. Cardenas. No.  
12174 \*The Clerk. Cardenas votes no.  
12175 Ruiz?  
12176 \*Mr. Ruiz. No.  
12177 \*The Clerk. Ruiz votes no.  
12178 Peters?  
12179 \*Mr. Peters. [Inaudible.]  
12180 \*The Clerk. Peters votes no.  
12181 Dingell?  
12182 \*Mrs. Dingell. [Inaudible.]  
12183 \*The Clerk. Dingell votes no.  
12184 Veasey?  
12185 \*Mr. Veasey. No.  
12186 \*The Clerk. Veasey votes no.

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12187 Kuster?  
12188 \*Ms. Kuster. [Inaudible.]  
12189 \*The Clerk. Kuster votes no.  
12190 Kelly?  
12191 \*Ms. Kelly. [Inaudible.]  
12192 \*The Clerk. Kelly votes no.  
12193 Barragan?  
12194 [No response.]  
12195 \*The Clerk. Blunt Rochester?  
12196 \*Ms. Blunt Rochester. No.  
12197 \*The Clerk. Blunt Rochester votes no.  
12198 Soto?  
12199 \*Mr. Soto. No.  
12200 \*The Clerk. Soto votes no.  
12201 Craig?  
12202 \*Ms. Craig. No.  
12203 \*The Clerk. Craig votes no.  
12204 Schrier?  
12205 [No response.]  
12206 \*The Clerk. Trahan?  
12207 \*Mrs. Trahan. No.

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12208           \*The Clerk. Trahan votes no.  
12209           Fletcher?  
12210           \*Mrs. Fletcher. No.  
12211           \*The Clerk. Fletcher votes no.  
12212           \*The Chair. Are there any other members seeking to be  
12213 recorded?  
12214           \*Mr. Guthrie. Oh, yes.  
12215           \*The Chair. Yes?  
12216           \*Mr. Guthrie. Guthrie.  
12217           \*The Clerk. Mr. Guthrie is not recorded.  
12218           \*Mr. Guthrie. Aye.  
12219           \*The Clerk. Guthrie votes aye.  
12220           \*The Chair. How is Mr. Carter reported -- recorded?  
12221           \*The Clerk. Mr. Carter is not recorded.  
12222           \*Mr. Carter. Aye.  
12223           \*The Clerk. Carter votes aye.  
12224           [Pause.]  
12225           \*The Clerk. Chair Rodgers, on that vote we have 26 ayes  
12226 and 21 noes.  
12227           \*The Chair. The ayes have it, and the bill is adopted.  
12228           The chair calls up H.R. 1023, and asks the clerk to

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12229 report.

12230 \*The Clerk. H.R. 1023, to repeal section 134 of the  
12231 Clean Air Act relating to the greenhouse gas --

12232 \*The Chair. Without objection, the first reading of the  
12233 bill is dispensed with, and the bill will be open for  
12234 amendment at any point.

12235 So ordered.

12236 [The bill follows:]

12237

12238 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

12239

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12240           \*The Chair. Does anyone seek to be recognized on the  
12241 bill?

12242           Yes, the gentleman from Alabama, Mr. Palmer.

12243           \*Mr. Palmer. Thank you, Madam Chair. I would like to  
12244 speak in favor of H.R. 1023.

12245           \*The Chair. The gentleman is recognized for five  
12246 minutes to strike the last word to speak in favor.

12247           \*Mr. Palmer. Thank you, Madam Chair. My bill to repeal  
12248 the Greenhouse Reduction Fund is a great opportunity to right  
12249 some of the wrongs that were in the misnamed Inflation  
12250 Reduction Act.

12251           While millions of American families and senior citizens  
12252 are struggling to make ends meet because of inflation caused  
12253 in large part by the -- by higher energy costs, Congress  
12254 should not have established this \$27 billion slush fund for  
12255 green advocacy groups.

12256           For almost a decade, climate alarmists have advocated  
12257 for a national green bank to fund the rush to green. This  
12258 idea wasn't popular enough to pass in stand-alone  
12259 legislation. So in pure Washington, D.C. fashion, it was  
12260 stuffed into the 700-page Inflation Reduction Act and jammed

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12261 through Congress. Meanwhile, more and more Americans with  
12262 less means were being pushed into energy poverty by these  
12263 left-wing energy policies.

12264 Democrat and Biden Administration energy policies have  
12265 driven up household energy costs and the cost of all goods  
12266 and services. These policies have undermined our economic  
12267 security and, I believe, undermined the security of millions  
12268 of American households. There are over 20 million American  
12269 households right now that are behind on paying their  
12270 household energy bills. That is one in six households that  
12271 can no longer afford their utility bills. And because of  
12272 much higher inflation, they are struggling with higher food  
12273 and medicine prices, higher costs for school supplies and  
12274 clothing for themselves and their children.

12275 These are the realities of Democrat and Biden  
12276 Administration policies undermining our economic security and  
12277 now, I believe, our national security.

12278 As I pointed out previously, the modern world depends on  
12279 four things: cement, steel, plastics, and fertilizer. As a  
12280 result of the cutbacks in energy and the changes in energy  
12281 policy that we have experienced in the last few years, we are

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12282 losing these energy intensive industries to China. China now  
12283 produces 61 percent of the world's cement, 31 percent of the  
12284 world's plastics, and 50 percent of the world's steel, all of  
12285 which is needed for the construction of turbines and solar  
12286 arrays, and all of which are needed to raise people out of  
12287 poverty and are essential to our national security.

12288 As we should all have learned from the war in Ukraine,  
12289 no nation should allow itself to become dependent on an  
12290 adversarial nation for anything essential to our economy and  
12291 our national security. That is exactly what the Democrat and  
12292 Biden Administration policies are doing by forcing America to  
12293 rely on solar arrays and wind turbines for the energy we need  
12294 to power our economy and our homes, and their goal of  
12295 eliminating the use of natural gas. We would make America  
12296 dependent on China, which -- and China, with the Communist  
12297 Party in charge, is very clearly a powerful adversary.

12298 We are facing enormous threats to our energy security,  
12299 reliability, and affordability. This is not due to a  
12300 shortage of resources. It is the result of the failure to  
12301 improve and expand our natural gas hydrocarbon  
12302 infrastructure. It is due to policies that undermine

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12303 investment and that have created disincentives because of  
12304 excessive regulations. It is due to the reckless closing of  
12305 hydrocarbon energy generation facilities and attempting to  
12306 replace them with renewables. This has resulted in a net  
12307 loss of power output that we are being warned will lead to  
12308 rolling blackouts, not just in California but across the  
12309 nation.

12310 As I have already stated, this is no longer just about  
12311 our economic security. It is a matter of national security  
12312 that we must take action to address. The North American  
12313 Reliability Corporation has warned that the greatest threat  
12314 to the U.S. power grid is changing the resource mix. NARC  
12315 has also stated that natural gas is a critical, reliable  
12316 source for power generation. It is the reliability fuel that  
12317 keeps the lights on and keeps manufacturing plants, offices,  
12318 grocery stores, retail businesses, and hospitals open. NARC  
12319 and other energy experts are already warning that whole  
12320 sections of America will face rolling blackouts. Again, this  
12321 will not only compromise our economy and hurt American  
12322 households, but also compromise our national security.

12323 The Chinese Communist Party understands what is at

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12324 stake. They are building a coal-fired power plant every two  
12325 weeks, and reports indicate that the CCP has built 14 outside  
12326 of China. Taking this into account, along with the fact that  
12327 we will not reach net zero by 2050 should make it clear that  
12328 it is pure folly to continue to dismantle our hydrocarbon  
12329 energy infrastructure, which is exactly the intent of the big  
12330 green slush fund.

12331           Aside from borrowing money that increases our debt,  
12332 these funds will be used to continue the Democrat and Biden  
12333 Administration assault on America's hydrocarbon  
12334 infrastructure. The United States is literally an energy  
12335 superpower with energy resources that far exceed our needs,  
12336 resources that can meet the needs of Europe and Latin  
12337 America, that can lift billions out of poverty from among the  
12338 world's poorest regions, that can save millions of lives. By  
12339 expanding our ability to meet these needs, we can not only  
12340 generate much-needed revenues to reduce our deficit, but  
12341 create tremendous goodwill and better geopolitical relations.

12342           I urge my colleagues to support H.R. 1023, and I yield  
12343 back.

12344           \*Mr. Johnson. [Presiding] The gentleman yields back.

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12345 Do other members wish to speak on the bill?

12346 Are there any bipartisan amendments?

12347 Are there any amendments?

12348 For what purpose does the gentlelady from Michigan seek  
12349 recognition?

12350 \*Mrs. Dingell. Mr. Chairman, I have an amendment at the  
12351 desk.

12352 \*Mr. Johnson. The gentlelady is recognized for five  
12353 minutes to speak on her amendment.

12354 Oh, I am sorry, the clerk will report.

12355 \*The Clerk. Can Mrs. Dingell please specify the  
12356 amendment?

12357 \*Mr. Johnson. Without objection, the reading of the  
12358 amendment is --

12359 \*Mrs. Dingell. FC01.

12360 \*The Clerk. Amendment to H.R. 1023, offered by Mrs.  
12361 Dingell. Page 2, line 2, strike "date of enactment of this  
12362 act," and insert --

12363 \*Mr. Johnson. Without objection, the reading of the  
12364 amendment is dispensed with.

12365 [The amendment of Mrs. Dingell follows:]

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12366

12367 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

12368

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12369           \*Mr. Johnson. The gentlelady is recognized for five  
12370 minutes in support of her amendment.

12371           \*Mrs. Dingell. Thank you, Mr. Chairman. Here is a  
12372 reality: the climate crisis is an existential threat to our  
12373 way of life and the planet. And anybody who has seen the  
12374 wildfires, the hurricanes, the floods in the Midwest knows  
12375 that something is happening in our lives.

12376           In a 2022 report by the United Nations Intergovernmental  
12377 Panel on Climate Change, it is clear the scientific community  
12378 expects more extreme conditions over the next 30 years,  
12379 regardless of what we do. But the experts still believe we  
12380 have a window of time to collectively act and avert the worst  
12381 scenarios. That is why Congress passed the Inflation  
12382 Reduction Act, a historic package that will provide resources  
12383 and incentives to reduce our greenhouse gas emissions and  
12384 address climate change.

12385           And to my colleague, I want to see that steel, that  
12386 concrete, and automobiles and about 1,000 other products --  
12387 how about pharmaceuticals -- brought back home and produced  
12388 here. But it is far more complex than the simplicity of --  
12389 they -- China is attacking us for many reasons. That is

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12390 another day.

12391 In fact, analysis indicates that, as a result of this  
12392 significant legislation, the United States will reduce its  
12393 emissions by over 42 percent. This is a notable decrease in  
12394 our greenhouse gas emissions, putting us on a path to meet  
12395 our climate goals.

12396 Included in the IRA was the creation of the Greenhouse  
12397 Gas Reduction Fund. As one of its original authors, this  
12398 program will provide \$27 billion to state, local, and non-  
12399 profit entities to accelerate clean energy deployment and  
12400 reduce greenhouse gas emissions. This fund will leverage  
12401 private investment, amplifying the impact for communities  
12402 nationwide, especially those that will be disproportionately  
12403 burdened by our warming climate.

12404 We have seen it work, and that is why I am deeply  
12405 disappointed that my Republican counterparts are working to  
12406 repeal this program. And it is not just wind and solar. We  
12407 should be looking at hydrogen and fuel cells and many other  
12408 alternative sources of energy. My amendment would ensure  
12409 that the U.S. Government is able to meet its climate goals  
12410 before repealing sections of the most significant climate law

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12411 in history.

12412 Specifically, before this legislation could go into  
12413 effect, my amendment would require the EPA administrator to  
12414 certify that the United States will reduce its emissions by  
12415 at least 42 percent below 2005 levels: the expected emission  
12416 reduction as a result of passing the Inflation Reduction Act.

12417 Climate change is real. It is warming. And we must  
12418 take action to address our greenhouse gas emissions if we  
12419 have any hope of mitigating the worst impacts of climate on  
12420 communities across the nation.

12421 This bill is aimed at repealing this transformational  
12422 program without a plan to address climate crisis, and robbing  
12423 communities of a once-in-a-generation opportunity. Instead  
12424 of working to address the climate crisis, my colleagues want  
12425 to live in the past.

12426 Look, I am a car girl. I told the industry we had to  
12427 change, and we are working at it.

12428 Continuing down this path comes at the expense of clean  
12429 air, the health of American families, good-paying, clean  
12430 energy jobs, and, frankly, our future. This novel program is  
12431 meant to strengthen our domestic energy independence and

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12432 lower greenhouse gas emissions.

12433 I urge all my colleagues to support this important  
12434 amendment.

12435 Thank you, Mr. Chairman, and I yield back.

12436 \*Mr. Johnson. The gentleman from -- what is the purpose  
12437 for -- why does the gentleman from Alabama seek recognition?

12438 \*Mr. Palmer. I move to strike the last word and speak  
12439 in opposition to the amendment.

12440 \*Mr. Johnson. The gentleman is recognized for five  
12441 minutes.

12442 \*Mr. Palmer. First of all, one of the things that  
12443 really disappoints me in regard to my colleagues is that they  
12444 have been misinformed about particularly what the  
12445 Intergovernmental Panel on Climate Change has said about  
12446 extreme weather, and floods, and things like that. The  
12447 latest report concludes that there is no consensus that human  
12448 activity has had any influence. Read the report. Read the  
12449 report. I will be happy to read it to you, if you can't read  
12450 it, if you can't understand it. I mean, there is physics  
12451 involved here with the production of energy.

12452 I mean, this idea that you are going to move your

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12453 concrete and your steel back to the United States without  
12454 natural gas, I mean, I worked for two international  
12455 engineering companies, I have a really good idea of what it  
12456 takes to produce energy, to build things. I worked in  
12457 environmental systems to reduce air pollution. We built the  
12458 systems to reduce air pollution, and we have reduced the  
12459 criteria gases that the EPA tracks emissions by 86 percent,  
12460 and we have reduced CO2 emissions on a per capita basis by 32  
12461 percent. It is because we have converted to natural gas. If  
12462 you eliminate natural gas completely, you will reduce the  
12463 world food supply by half.

12464 I mean, I don't know where you come up with some of this  
12465 stuff, but I think we are in a existential crisis right now.  
12466 China is an existential threat. There is no question about  
12467 it. Our debt is an existential threat. We need to be  
12468 investing in infrastructure that will allow us not only to  
12469 meet our own economic needs, to meet our food needs, but also  
12470 to create a geopolitical alliance with the rest of the world  
12471 that allows us to provide for them, as well.

12472 And I just don't get this, Mr. Chairman, where folks are  
12473 coming from with this. Our objective here is to make sure

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12474 that American people have the economic security that they  
12475 need, that senior citizens can afford to adequately heat and  
12476 cool their homes, that they can afford their food and  
12477 medicine. You -- we have already seen a massive increase in  
12478 inflation because of the Biden Administration's energy  
12479 policies. Everything you consume, everything you use,  
12480 everything you come in contact with has an energy cost, and  
12481 you are driving it through the roof through these  
12482 inflationary policies.

12483 So I urge my colleagues to reject this amendment, and  
12484 support the passage of H.R. 1023.

12485 I yield back.

12486 \*Mr. Johnson. The gentleman yields back. Do other  
12487 members wish to speak on the amendment?

12488 \*Ms. Castor. Yes.

12489 \*Mr. Johnson. For what purpose does the gentlelady from  
12490 Florida seek recognition?

12491 \*Ms. Castor. To strike the last word to speak in favor  
12492 of the Dingell amendment.

12493 \*Mr. Johnson. The gentlelady is recognized for five  
12494 minutes.

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12495           \*Ms. Castor. Well, thank you very much, Mr. Chairman.  
12496 You know, you don't have to listen to the world's top  
12497 scientists to understand we are in a climate crisis. But  
12498 what the ICPP recently said in their last report is there is  
12499 a rapidly closing window for us to avoid the catastrophic,  
12500 costly impacts of the climate crisis.

12501           And thank goodness people across the country came  
12502 together last year to support the Inflation Reduction Act,  
12503 our historic climate law that pairs very well with the  
12504 Bipartisan Infrastructure Law in rebuilding America's  
12505 manufacturing and supply chains through the CHIPS and Science  
12506 Act.

12507           One of the most important pieces of the Inflation  
12508 Reduction Act is this innovative Greenhouse Gas Reduction  
12509 Fund. And I want to thank Mrs. Dingell for working so hard  
12510 over a number of years to chart the course for this  
12511 innovative financing tool, along with a lot of other members  
12512 who have worked on it here. It is a first-of-its-kind  
12513 initiative that will provide competitive grants to mobilize  
12514 financing to leverage private capital for clean energy and  
12515 climate projects that reduce climate pollution.

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12516           We have a -- we pay special attention to the communities  
12517 across America that have long carried the -- a  
12518 disproportionate burden of pollution to make sure that they  
12519 are participating in the benefits, the cost savings that  
12520 cheaper energy, clean energy will provide. Think of it as a  
12521 clean energy and sustainability accelerator.

12522           Financers are very excited about this, and others back  
12523 home are thrilled about it because it does provide some  
12524 flexibility, and it allows America's entrepreneurs and the  
12525 scientific community to develop the tools that we need to  
12526 compete and to help the entire world transition to a clean  
12527 energy economy.

12528           In fact, I will ask unanimous consent to submit for the  
12529 record a letter from the National Association of Counties,  
12530 National League of Cities, the U.S. Conference of Mayors, our  
12531 folks back home who are close to the ground. And really,  
12532 they say they are encouraged. They see the Greenhouse Gas  
12533 Reduction Fund as a way to award grants and loans for zero-  
12534 emissions technologies. They think, if this bill is enacted,  
12535 local governments across the country will lose access to  
12536 critical funding needed to bring affordable, clean energy to

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12537 our residents.

12538 Earlier today I talked about how electric bills in the  
12539 Sunshine State are going up, up, up. Florida Power and  
12540 Light, Duke Energy, TECO just this week got approved for big  
12541 rate hikes on my -- the people I represent.

12542 \*Mr. Johnson. Did the gentlelady ask for unanimous  
12543 consent to introduce that?

12544 \*Ms. Castor. Thank you.

12545 \*Mr. Johnson. Yes, without objection, so ordered.

12546 [The information follows:]

12547

12548 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

12549

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12550           \*Ms. Castor. So part of the reason our bills are going  
12551 up, up, up is because they are so tied to gas. And what this  
12552 initiative will do will empower people at the local level to  
12553 develop the clean technologies, the energy efficiency tools  
12554 they need to cut costs, cut pollution.

12555           At the same time, this is a historic and exciting  
12556 opportunity to cut climate pollution, to lower costs, to  
12557 create jobs, and to improve our health.

12558           So I want to thank Mrs. Dingell for bringing this  
12559 amendment and this bill -- even with your amendment, I hope  
12560 this bill is defeated and doesn't see the light of day.

12561           \*Mr. Pallone. Would the gentlewoman yield, if she is  
12562 finished?

12563           \*Ms. Castor. I am happy to yield.

12564           \*Mr. Pallone. Thank you. I just wanted to say to Mr.  
12565 Palmer, look, we have worked together on addressing the  
12566 climate crisis.

12567           I know you said that there was a report that said it  
12568 wasn't human-induced. I haven't seen that report. But the  
12569 bottom line is you don't have to -- you can believe that it  
12570 is not human-induced, which, obviously, you do. But that

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12571 doesn't mean you don't believe it is real. Obviously, you  
12572 think that climate change is real, and that we should be  
12573 doing something about it, which is what you said.

12574         And so, you know, we don't have to get that in the way  
12575 of trying to accomplish something here, even the committee  
12576 that you put together -- about environment and climate.  
12577 There have been many times in the past when we have actually  
12578 addressed things on a bipartisan basis to reduce the damaging  
12579 impacts of climate change without the Republicans having to  
12580 say that it is human-induced.

12581         I remember the Energy Act, which we passed when Trump  
12582 was President, that phased out HFCs. We didn't say whether  
12583 it was human-induced or not. We just said it is a reality,  
12584 and we need to address it. And I think the Greenhouse Gas  
12585 Reduction Fund is a major way to address it, regardless of  
12586 what you think the causes are.

12587         And so I would just say let's join together and work on  
12588 some of these things, regardless of what you believe is the  
12589 cause.

12590         And I yield back. I thank the gentlewoman.

12591         \*Mr. Johnson. The gentleman yields back.

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12592           For what purpose does the gentleman from South Carolina  
12593 seek recognition?

12594           \*Mr. Duncan. I move to strike the last word to speak in  
12595 opposition to --

12596           \*Mr. Johnson. The gentleman is recognized for five  
12597 minutes.

12598           \*Mr. Duncan. Thank you, Mr. Chair. Lord, I tell you  
12599 what. My constituents are wondering when that much-touted  
12600 Inflation Reduction Act is actually going to kick in and help  
12601 lower prices for them at the grocery store, at the retailers,  
12602 at the gas pumps.

12603           You know, the gentlelady from Florida talks about the  
12604 Sunshine State, and their energy prices are skyrocketing.  
12605 And I would ask her to just look at the energy matrix down  
12606 there. A lot of nuclear power, of course, in Florida, a move  
12607 toward more solar. But without dispatchable energy provided  
12608 by natural gas, where that natural gas-fired power plant can  
12609 come on, when that thunderstorm goes across those solar  
12610 panels and that solar falls offline -- solar starts at zero  
12611 every day and ends at zero. It produces when the sun comes  
12612 up and it produces until the sun goes down.

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12613           But I will guarantee your constituents -- they expect  
12614 the lights to come on, they expect that machine to be able to  
12615 turn on when they want to manufacture that widget. And you  
12616 can't do that with solely moving toward renewable energy. It  
12617 ought to be part of the matrix. There is nobody on this side  
12618 of the aisle that doesn't agree with that.

12619           I would like to yield some time to my gentleman friend  
12620 from Alabama, Mr. Palmer.

12621           \*Mr. Palmer. I just want to make it clear that I am not  
12622 saying that there is no evidence or no consensus. I will  
12623 read you what the last Intergovernmental Panel on Climate  
12624 Change report said, and I quote, "There is still no consensus  
12625 on the relative magnitude of human and natural influences on  
12626 past changes in Atlantic hurricane activity, and particularly  
12627 on which factor has dominated the observed increase. And it  
12628 remains uncertain whether past changes in Atlantic activity  
12629 are outside the range of natural variability.'"

12630           I will translate that: there is no consensus on human  
12631 influence on the number and intensity of hurricanes or  
12632 tropical cyclones, for that matter. What --

12633           \*Ms. Castor. Will the gentleman yield?

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12634 \*Mr. Palmer. -- impacts --

12635 \*Ms. Castor. Will the gentleman --

12636 \*Mr. Palmer. -- activity is the El Nino and La Nina  
12637 cycles. And that is -- I mean, that is the science.

12638 Now, I want to make it clear that I understand that the  
12639 climate is changing. But my concern is that my colleagues do  
12640 not realize that the climate is changing for reasons and for  
12641 -- other than what they think.

12642 I asked this in a hearing one time: Has the Sahara  
12643 always been a desert? And the answer is no. It has only  
12644 been a desert about 4,000 years. So what happened? The  
12645 climate changed. What caused it? Most scientists believe  
12646 the Earth changed its tilt on its axis, changed the wind  
12647 patterns, and over about a 10 or 12,000-year period the  
12648 Sahara became a desert.

12649 I think we need to be working together to deploy natural  
12650 gas, increase nuclear energy, discover new technologies that  
12651 provide reliable, affordable energy, including market-viable  
12652 renewable energy, and not set up a subsidy and de-risk  
12653 schemes on the back of the taxpayers that are already facing  
12654 a debt crisis to drive favored renewable technology,

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12655 especially since we are facing a debt crisis that is truly an  
12656 existential threat to our nation.

12657 I yield back. I yield back to the gentleman.

12658 \*Mr. Duncan. Who was asking for time on that side?

12659 I will yield the balance to Mr. Peters.

12660 \*Mr. Peters. Thank you, Mr. Duncan. Look, I mean, I  
12661 think this bill is going to be referred to the floor, and I  
12662 don't want to take up forever.

12663 I would just say, in response to my colleague from  
12664 Alabama, the first sentence of the IPCC report says, "Human  
12665 activities are estimated to have caused approximately 1  
12666 degree Celsius of global warming above pre-industrial levels,  
12667 with a likely range of 0.08 to 0.12 degrees Celsius. A  
12668 global warming is likely to reach 1.5 degrees between 2030  
12669 and 2052.'" That is different from saying whether you can  
12670 attribute particular storm activity to that versus natural  
12671 activity. I think that was the confusion.

12672 In any event, I think that there is a consensus that we  
12673 need to do this, and that we need to deal with this issue.  
12674 And I don't think we are going to resolve that today, but I  
12675 just want to say that for the record. I think that was a --

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12676           \*Mr. Duncan. I reclaim my time and yield the balance to  
12677 Mr. Palmer.

12678           \*Mr. Peters. Thank you.

12679           \*Mr. Palmer. And I thank the gentleman for that. I  
12680 don't dispute that.

12681           But what is interesting is that there is a report out of  
12682 the National Oceanographic Administration that said that  
12683 because we have done so much in terms of removing particulate  
12684 matter from the atmosphere, that it may have actually  
12685 contributed to more frequent hurricanes, but -- which is kind  
12686 of interesting.

12687           But I do appreciate that clarification, and I do  
12688 understand that the climate is warming, and that there are  
12689 consequences. But I don't think that we need to go the route  
12690 that we are going right now, particularly with the threat of  
12691 the Communist Party in China, which I think could put us in a  
12692 real bind.

12693           I yield back.

12694           \*Mr. Duncan. I yield back.

12695           \*Mr. Johnson. The gentleman yields back. Is there  
12696 further discussion on the amendment?

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12697           If there is no further discussion, the vote occurs on  
12698 the amendment.  
12699           All those shall signify by saying aye.  
12700           \*Mr. Pallone. They want a recorded vote.  
12701           \*Mr. Johnson. All those opposed?  
12702           A recorded vote has been requested. The clerk will call  
12703 the roll.  
12704           \*The Clerk. Rodgers?  
12705           [No response.]  
12706           \*The Clerk. Burgess?  
12707           \*Mr. Burgess. Votes no.  
12708           \*The Clerk. Burgess votes no.  
12709 Latta?  
12710           [No response.]  
12711           \*The Clerk. Guthrie?  
12712           \*Mr. Guthrie. No.  
12713           \*The Clerk. Guthrie votes no.  
12714 Griffith?  
12715           \*Mr. Griffith. No.  
12716           \*The Clerk. Griffith votes no.  
12717 Bilirakis?

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12718 \*Mr. Bilirakis. No.  
12719 \*The Clerk. Bilirakis votes no.  
12720 Johnson?  
12721 \*Mr. Johnson. No.  
12722 \*The Clerk. Johnson votes no.  
12723 Bucshon?  
12724 \*Mr. Bucshon. No.  
12725 \*The Clerk. Bucshon votes no.  
12726 Hudson?  
12727 [No response.]  
12728 \*The Clerk. Walberg?  
12729 \*Mr. Walberg. No.  
12730 \*The Clerk. Walberg votes no  
12731 Carter?  
12732 \*Mr. Carter. No.  
12733 \*The Clerk. Carter votes no.  
12734 Duncan?  
12735 \*Mr. Duncan. No.  
12736 \*The Clerk. Duncan votes no.  
12737 Palmer?  
12738 \*Mr. Palmer. No.

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12739           \*The Clerk. Palmer votes no.  
12740           Dunn?  
12741           \*Mr. Dunn. No.  
12742           \*The Clerk. Dunn votes no.  
12743           Curtis?  
12744           \*Mr. Curtis. No.  
12745           \*The Clerk. Curtis votes no.  
12746           Lesko?  
12747           \*Mrs. Lesko. No.  
12748           \*The Clerk. Lesko votes no.  
12749           Pence?  
12750           \*Mr. Pence. No.  
12751           \*The Clerk. Pence votes no.  
12752           Crenshaw?  
12753           \*Mr. Crenshaw. No.  
12754           \*The Clerk. Crenshaw votes no.  
12755           Joyce?  
12756           \*Mr. Joyce. No.  
12757           \*The Clerk. Joyce votes no.  
12758           Armstrong?  
12759           \*Mr. Armstrong. No.

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12760           \*The Clerk.   Armstrong votes no.  
12761           Weber?  
12762           \*Mr. Weber.   No.  
12763           \*The Clerk.   Weber votes no.  
12764           \*Mr. Allen.   No.  
12765           \*The Clerk.   Allen votes no.  
12766           Balderson?  
12767           \*Mr. Balderson.   No.  
12768           \*The Clerk.   Balderson votes no.  
12769           Fulcher?  
12770           \*Mr. Fulcher.   Fulcher, no.  
12771           \*The Clerk.   Fulcher votes no.  
12772           Pfluger?  
12773           [No response.]  
12774           \*The Clerk.   Harshbarger?  
12775           \*Mrs. Harshbarger.   [Inaudible.]  
12776           \*The Clerk.   Harshbarger votes no.  
12777           Miller-Meeks?  
12778           [No response.]  
12779           \*The Clerk.   Cammack?  
12780           \*Mrs. Cammack.   No.

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12781 \*The Clerk. Cammack votes no.  
12782 Obernolte?  
12783 \*Mr. Obernolte. [Inaudible.]  
12784 \*The Clerk. Obernolte votes no.  
12785 Pallone?  
12786 \*Mr. Pallone. Aye.  
12787 \*The Clerk. Pallone votes aye.  
12788 Eshoo?  
12789 \*Ms. Eshoo. Aye.  
12790 \*The Clerk. Eshoo votes aye.  
12791 DeGette?  
12792 \*Ms. DeGette. Aye.  
12793 \*The Clerk. DeGette votes aye.  
12794 Schakowsky?  
12795 \*Ms. Schakowsky. Aye.  
12796 \*The Clerk. Schakowsky votes aye.  
12797 Matsui?  
12798 \*Ms. Matsui. Aye.  
12799 \*The Clerk. Matsui votes aye.  
12800 Castor?  
12801 \*Ms. Castor. Aye.

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12802           \*The Clerk. Castor votes aye.  
12803           Sarbanes?  
12804           \*Mr. Sarbanes. Aye.  
12805           \*The Clerk. Sarbanes votes aye.  
12806           Tonko?  
12807           \*Mr. Tonko. Aye.  
12808           \*The Clerk. Tonko votes aye.  
12809           Clarke?  
12810           \*Ms. Clarke. Aye.  
12811           \*The Clerk. Clarke votes aye.  
12812           Cardenas?  
12813           \*Mr. Cardenas. Aye.  
12814           \*The Clerk. Cardenas votes aye.  
12815           Ruiz?  
12816           \*Mr. Ruiz. Aye.  
12817           \*The Clerk. Ruiz votes aye.  
12818           Peters?  
12819           \*Mr. Peters. [Inaudible.]  
12820           \*The Clerk. Peters votes aye.  
12821           Dingell?  
12822           \*Mrs. Dingell. Aye.

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12823           \*The Clerk. Dingell votes aye.  
12824           Veasey?  
12825           \*Mr. Veasey. Aye.  
12826           \*The Clerk. Veasey votes aye.  
12827           Kuster?  
12828           \*Ms. Kuster. Aye.  
12829           \*The Clerk. Kuster votes aye.  
12830           Kelly?  
12831           \*Ms. Kelly. Aye.  
12832           \*The Clerk. Kelly votes aye.  
12833           Barragan?  
12834           [No response.]  
12835           \*The Clerk. Blunt Rochester?  
12836           \*Ms. Blunt Rochester. Aye.  
12837           \*The Clerk. Blunt Rochester votes aye.  
12838           Soto?  
12839           \*Mr. Soto. Aye.  
12840           \*The Clerk. Soto votes aye.  
12841           Craig?  
12842           \*Ms. Craig. Aye.  
12843           \*The Clerk. Craig votes aye.

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12844 Schrier?  
12845 [No response.]  
12846 \*The Clerk. Trahan?  
12847 \*Mrs. Trahan. Aye.  
12848 \*The Clerk. Trahan votes aye.  
12849 Fletcher?  
12850 \*Mrs. Fletcher. Aye.  
12851 \*The Clerk. Fletcher votes aye.  
12852 \*Mr. Johnson. Are there members not recorded?  
12853 How is Mr. Latta recorded?  
12854 \*The Clerk. Mr. Latta is not recorded.  
12855 \*Mr. Latta. No.  
12856 \*The Clerk. Latta votes no.  
12857 \*Mr. Johnson. How is Chairman Rodgers?  
12858 \*The Clerk. Chair Rodgers is not recorded.  
12859 \*The Chair. Rodgers votes aye.  
12860 \*The Clerk. Rodgers votes aye.  
12861 \*The Chair. Rodgers votes no, no.  
12862 \*The Clerk. Rodgers is off aye, on no.  
12863 \*Mr. Johnson. How is Mr. Pfluger recorded?  
12864 \*The Clerk. Mr. Pfluger is not recorded.

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12865           \*Mr. Pfluger. No.

12866           \*The Clerk. Pfluger votes no.

12867           \*Mr. Johnson. Do any other members seek to be recorded?

12868           The clerk will report.

12869           [Pause.]

12870           \*The Clerk. Mr. Johnson, on that vote we have 21 ayes

12871 and 27 noes.

12872           \*Mr. Johnson. The nays have it, and the amendment is

12873 not agreed to.

12874           Are there other amendments?

12875           Seeing none, the question now occurs on approving H.R.

12876 1023.

12877           All those in favor, say aye.

12878           Those opposed, no.

12879           The ayes have it, and the bill is agreed to.

12880           \*Voice. Call the roll.

12881           \*Mr. Johnson. A recorded vote has been requested. The

12882 clerk will call the roll.

12883           \*The Clerk. Rodgers?

12884           \*The Chair. Aye.

12885           \*The Clerk. Rodgers votes aye.

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12886 Burgess?  
12887 \*Mr. Burgess. [Inaudible.]  
12888 \*The Clerk. Burgess votes aye.  
12889 Latta?  
12890 \*Mr. Latta. Aye.  
12891 \*The Clerk. Latta votes aye.  
12892 Guthrie?  
12893 \*Mr. Guthrie. Aye.  
12894 \*The Clerk. Guthrie votes aye.  
12895 Griffith?  
12896 \*Mr. Griffith. Aye.  
12897 \*The Clerk. Griffith votes aye.  
12898 Bilirakis?  
12899 \*Mr. Bilirakis. Aye.  
12900 \*The Clerk. Bilirakis votes aye.  
12901 Johnson?  
12902 \*Mr. Johnson. Aye.  
12903 \*The Clerk. Johnson votes aye.  
12904 Bucshon?  
12905 \*Mr. Bucshon. Aye.  
12906 \*The Clerk. Bucshon votes aye.

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12907 Hudson?  
12908 [No response.]  
12909 \*The Clerk. Walberg?  
12910 \*Mr. Walberg. Aye.  
12911 \*The Clerk. Walberg votes aye.  
12912 Carter?  
12913 [No response.]  
12914 \*The Clerk. Duncan?  
12915 \*Mr. Duncan. Aye.  
12916 \*The Clerk. Duncan votes aye.  
12917 Palmer?  
12918 \*Mr. Palmer. Aye.  
12919 \*The Clerk. Palmer votes aye.  
12920 Dunn?  
12921 \*Mr. Dunn. Aye.  
12922 \*The Clerk. Dunn votes aye.  
12923 Curtis?  
12924 \*Mr. Curtis. [Inaudible.]  
12925 \*The Clerk. Curtis votes aye.  
12926 Lesko?  
12927 \*Mrs. Lesko. Aye.

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12928           \*The Clerk. Lesko votes aye.  
12929           Pence?  
12930           \*Mr. Pence. Aye.  
12931           \*The Clerk. Pence votes aye.  
12932           Crenshaw?  
12933           \*Mr. Crenshaw. Aye.  
12934           \*The Clerk. Crenshaw votes aye.  
12935           Joyce?  
12936           \*Mr. Joyce. Aye.  
12937           \*The Clerk. Joyce votes aye.  
12938           Armstrong?  
12939           \*Mr. Armstrong. Yes.  
12940           \*The Clerk. Armstrong votes aye.  
12941           Weber?  
12942           \*Mr. Weber. Aye.  
12943           \*The Clerk. Weber votes aye.  
12944           \*Mr. Allen. Aye.  
12945           \*The Clerk. Allen votes aye.  
12946           Balderson?  
12947           [No response.]  
12948           \*The Clerk. Fulcher?

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12949 \*Mr. Fulcher. Fulcher is aye.  
12950 \*The Clerk. Fulcher votes aye.  
12951 Pfluger?  
12952 \*Mr. Pfluger. Aye.  
12953 \*The Clerk. Pfluger votes aye.  
12954 Harshbarger?  
12955 \*Mrs. Harshbarger. [Inaudible.]  
12956 \*The Clerk. Harshbarger votes aye.  
12957 Miller-Meeks?  
12958 [No response.]  
12959 \*The Clerk. Cammack?  
12960 \*Mrs. Cammack. Aye.  
12961 \*The Clerk. Cammack votes aye.  
12962 Obernolte?  
12963 \*Mr. Obernolte. Aye.  
12964 \*The Clerk. Obernolte votes aye.  
12965 Pallone?  
12966 \*Mr. Pallone. [Inaudible.]  
12967 \*The Clerk. Pallone votes no.  
12968 Eshoo?  
12969 \*Ms. Eshoo. No.

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12970           \*The Clerk. Eshoo votes no.  
12971           DeGette?  
12972           \*Ms. DeGette. No.  
12973           \*The Clerk. DeGette votes no.  
12974           Schakowsky?  
12975           \*Ms. Schakowsky. No.  
12976           \*The Clerk. Schakowsky votes no.  
12977           Matsui?  
12978           \*Ms. Matsui. No.  
12979           \*The Clerk. Matsui votes no.  
12980           Castor?  
12981           \*Ms. Castor. No.  
12982           \*The Clerk. Castor votes no.  
12983           Sarbanes?  
12984           \*Mr. Sarbanes. No.  
12985           \*The Clerk. Sarbanes votes no.  
12986           Tonko?  
12987           \*Mr. Tonko. No.  
12988           \*The Clerk. Tonko votes no.  
12989           Clarke?  
12990           \*Ms. Clarke. No.

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12991           \*The Clerk. Clarke votes no.  
12992           Cardenas?  
12993           \*Mr. Cardenas. No.  
12994           \*The Clerk. Cardenas votes no.  
12995           Ruiz?  
12996           \*Mr. Ruiz. [Inaudible.]  
12997           \*The Clerk. Ruiz votes no.  
12998           Peters?  
12999           \*Mr. Peters. [Inaudible.]  
13000           \*The Clerk. Peters votes no.  
13001           Dingell?  
13002           \*Mrs. Dingell. [Inaudible.]  
13003           \*The Clerk. Dingell votes no.  
13004           Veasey?  
13005           \*Mr. Veasey. No.  
13006           \*The Clerk. Veasey votes no.  
13007           Kuster?  
13008           \*Ms. Kuster. No.  
13009           \*The Clerk. Kuster votes no.  
13010           Kelly?  
13011           \*Ms. Kelly. No.

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13012           \*The Clerk. Kelly votes no.  
13013           Barragan?  
13014           [No response.]  
13015           \*The Clerk. Blunt Rochester?  
13016           \*Ms. Blunt Rochester. No.  
13017           \*The Clerk. Blunt Rochester votes no.  
13018           Soto?  
13019           \*Mr. Soto. [Inaudible.]  
13020           \*The Clerk. Soto votes no.  
13021           Craig?  
13022           \*Ms. Craig. No.  
13023           \*The Clerk. Craig votes no.  
13024           Schrier?  
13025           [No response.]  
13026           \*The Clerk. Trahan?  
13027           \*Mrs. Trahan. [Inaudible.]  
13028           \*The Clerk. Trahan votes no.  
13029           Fletcher?  
13030           \*Mrs. Fletcher. No.  
13031           \*The Clerk. Fletcher votes no.  
13032           \*Mr. Johnson. Do any members wish to be recorded?

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13033 \*The Clerk. Mr. Balderson is not recorded.

13034 \*Mr. Balderson. [Inaudible.]

13035 \*The Clerk. Mr. Balderson votes aye.

13036 \*Mr. Johnson. Any other members seek to be recorded?

13037 The clerk will report.

13038 [Pause.]

13039 \*Mr. Carter. Carter?

13040 \*The Clerk. Mr. Carter is not recorded.

13041 \*Mr. Carter. Aye.

13042 \*The Clerk. Carter votes aye.

13043 [Pause.]

13044 \*The Clerk. Mr. Johnson, on that vote we have 27 ayes

13045 and 21 noes.

13046 \*Mr. Johnson. The ayes have it, and the bill is

13047 adopted.

13048 The chair now calls up H.R. 1155, and asks the clerk to

13049 report.

13050 \*The Clerk. H.R. 1155, to prohibit the phaseout of

13051 gasoline and prevent higher prices for consumers, and for

13052 other purposes.

13053 \*Mr. Johnson. Without objection, the first reading of

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13054 the bill is dispensed with, and the bill will be open for  
13055 amendment at any point.

13056 So ordered.

13057 [The bill follows:]

13058

13059 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

13060

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13061           \*Mr. Johnson. Does anyone seek to be recognized on the  
13062 bill?

13063           For what purpose does the gentleman from --

13064           \*Mr. Crenshaw. I move to strike the last word.

13065           \*Mr. Johnson. The gentleman is recognized for five  
13066 minutes.

13067           \*Mr. Crenshaw. Thank you to the chair, and thank you  
13068 for holding this important markup.

13069           And worth noting, just overall, I think we are fighting  
13070 back against the following logical fallacy, which is that if  
13071 1 regulation is good, then 10 more must be better. And I  
13072 would ask my colleagues to consider the strong possibility  
13073 that our environmental regulatory framework has advanced well  
13074 beyond the confines of common sense.

13075           And I think the bills we have put forth today will not  
13076 hurt the environment. Any reasonable person knows that.  
13077 They will bring back a modicum of balance to our regulatory  
13078 framework, so that Americans can build and innovate and  
13079 prosper, while also safely protecting the environment. I  
13080 don't think this is controversial.

13081           So this gets to this particular bill, Keeping America's

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13082 Refineries Act. And my colleagues are looking at me like  
13083 they want me to, instead of, you know -- I will only spend 45  
13084 minutes on this, so everyone just calm down.

13085 [Laughter.]

13086 \*Mr. Crenshaw. Look, this just rolls back a misguided  
13087 EPA rule that seeks to eliminate refineries that use  
13088 hydrofluoric acid. For some reason the EPA has decided that  
13089 hydrofluoric acid is super dangerous, and that they have to  
13090 switch to sulfuric acid, which is not exactly something you  
13091 would bathe in.

13092 Also, you have to use three times more sulfuric acid,  
13093 and transport it three times more. So if anything, there is  
13094 three times more likely to have a big accident with sulfuric  
13095 acid. I am not sure why we would want to switch to that.

13096 Hydrofluoric acid refineries make up about 50 percent of  
13097 our capacity, nationwide. So if you try to eliminate those,  
13098 you are going to see a skyrocketing price in gas, and I don't  
13099 think our public wants that very much.

13100 Now, of course, industrial processes have risks, but no  
13101 industry is more scrutinized by the busybodies at EPA than  
13102 oil and gas, who has the refining industry at the top of its

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13103 enforcement list. And some of those regulations are probably  
13104 good things, but not -- it doesn't mean that 10 more are  
13105 actually better.

13106 We have got to dispel a couple of myths, too, number one  
13107 that the EPA rules just wants to require an analysis for  
13108 safer alternatives. Okay, but we know how policy works here,  
13109 right? You do that analysis, and then you create a narrative  
13110 about why you have to actually ban it. And I have noticed  
13111 that the folks who are for this have literally said they  
13112 think these refineries should disappear. So I think the cat  
13113 is out of the bag.

13114 I have already addressed the myth number two, that  
13115 sulfuric acid is safer. It is not. According to the CDC, it  
13116 is corrosive, destructive to the skin, eyes, teeth, lungs.  
13117 Severe exposure can result in death. Again, you wouldn't  
13118 want to bathe in that, either, so I am not sure why that is a  
13119 safer alternative.

13120 Now, there is two particular incidents that are used to  
13121 justify this EPA rule, one at Torrance and one in  
13122 Philadelphia. But at the instance at the Torrance refinery,  
13123 no hydrofluoric acid was released. It is based on this idea

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13124 that a piece of debris might have hit a tank of hydrofluoric  
13125 acid. In Philadelphia, a bunch was released, but the  
13126 Chemical Safety Board said it was unaware of any offsite  
13127 impacts from the impacts of the HF release. So I am not sure  
13128 what is going on here.

13129 We have also heard that blue-collar workers are  
13130 demanding this EPA rule. That is interesting, because  
13131 actually in Torrance, when there was a big push from  
13132 environmentalists to limit the use of hydrofluoric acid, it  
13133 was the labor unions, and including the steelworkers, that  
13134 actually fought back against it. And so in 2019 the South  
13135 Coast Air Quality Management District voted against banning  
13136 the acid used at refineries in the state. Actually, a  
13137 spokesperson for United Steelworkers at Local 675 said, "If  
13138 we are going to advocate that our folks' jobs be gone, we  
13139 have to be able to show them that we are taking care of their  
13140 interests. Trade union leaders who advocate for social  
13141 policy that eliminates members' jobs without having  
13142 alternatives are not trade union leaders for very long.'"   
13143 But apparently, the EPA now thinks it knows better than the  
13144 people and the workers of Torrance.

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13145           So, look, I just don't think we should be nonchalant  
13146 about proposals that will lead to such devastating  
13147 consequences. This EPA rule could vastly constrict supply  
13148 and drastically increase gas prices.

13149           Our problem in this country isn't that we have unsafe  
13150 refineries. Our problem is that we don't have enough  
13151 refineries. So let's not make the problem worse, and I urge  
13152 my colleagues to vote for my bill, which would roll back this  
13153 ridiculous EPA rule.

13154           Thank you. I yield back.

13155           \*Mr. Johnson. The gentleman yields back. Does anyone  
13156 else seek to speak on the bill?

13157           \*Mr. Pallone. I have an amendment.

13158           \*Mr. Johnson. Are there any bipartisan amendments?  
13159 Are there any amendments?

13160           For what purpose does the gentleman from New Jersey seek  
13161 recognition?

13162           \*Mr. Pallone. I have an amendment at the desk. I think  
13163 it might have been under Ms. Barragan, or Barragan, but I am  
13164 going to do it instead. It is FCD\_02.

13165           \*Mr. Johnson. The clerk will report.

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13166           \*The Clerk. Amendment to H.R. 1155, offered by Mr.  
13167 Pallone. Page 2, line 6, strike "the owner,'" and insert  
13168 "except as provided in subsection C, the owner.'" Add at the  
13169 end of the --

13170           \*Mr. Johnson. Without objection, the reading of the  
13171 amendment is dispensed with.

13172           [The amendment of Mr. Pallone follows:]

13173

13174           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

13175

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13176           \*Mr. Johnson. And the gentleman is recognized for five  
13177 minutes in support of his amendment.

13178           \*Mr. Pallone. Thank you, Mr. Chairman. I have serious  
13179 concerns with the bill under consideration, the Keeping  
13180 America's Refineries Act, which would stop refineries from  
13181 doing common-sense hazard assessments or assessments of safer  
13182 technology options.

13183           My amendment limits the impact of this bill by ensuring  
13184 that refineries with poor safety records must still adhere to  
13185 all the regulations set forth by the chemical disaster rule  
13186 currently being undertaken by the Biden Administration.

13187           Refineries that have had actual or threatened accidental  
13188 release of a regulated or extremely hazardous substance, or  
13189 have been found in violation of the risk management program  
13190 in the last 10 years would be covered by this amendment.  
13191 This would make sure that refineries like the one in  
13192 Philadelphia that had an explosion would need to explore how  
13193 it can limit its risk to the community.

13194           To really highlight why this amendment is important, I  
13195 want to share a quote from a conversation I had with Jim  
13196 Savage, a steelworker who worked at the PES refinery when it

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13197 had its explosion. And he said, and I quote, "I worked in  
13198 the south PES refinery for 27 years until its closure in  
13199 September 2019. On June 21st, 2019, at 4:00 a.m., I was  
13200 working in the refinery when it experienced massive  
13201 explosions at the HF alkylation unit.'"'

13202 And this continues, "There are about 30 people on the  
13203 face of the Earth who were closer to the explosions than I  
13204 was. It was terrifying. Nobody should ever have to  
13205 experience what me and my co-workers went through, either  
13206 during the explosions or the unfortunate aftermath.'" Now  
13207 Jim now works for the United Steelworkers as a legislative  
13208 representative, pushing back against harmful bills like H.R.  
13209 1155. And his personal story is so important, I believe, in  
13210 times like this.

13211 When the Chemical Safety Board did their investigation  
13212 of the PES refinery incident, one of the recommendations was  
13213 for EPA to require new and existing petroleum refineries with  
13214 HF alkylation units to conduct a safer technology and  
13215 alternative analysis, and to evaluate the practicability of  
13216 any inherently safer technology identified. And this bill  
13217 would block EPA from implementing those critical

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13218 requirements.

13219 Workers at the facilities think this bill is a bad idea.

13220 The Chemical Safety Board recommends the opposite of what

13221 this bill would mandate. Is this bill really the best course

13222 of action? Well, the experts definitely don't think so.

13223 I urge my colleagues to support my amendment trying to

13224 make this bill a bit safer by making sure the facilities that

13225 can't comply with the regulations for chemical facilities

13226 don't get exemptions.

13227 Now, Mr. Chairman, if -- I would like to enter into the

13228 record an article from the April 2021 titled -- from April

13229 2021 titled, "Oil Company Begins Major New Use of Ionic

13230 Liquids: Chevron Alkylation Unit is a Breakthrough for

13231 Commercialization of the Salts,'" if I could enter that.

13232 \*Mr. Johnson. Without objection, so ordered.

13233 [The information follows:]

13234

13235 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

13236

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13237           \*Mr. Pallone. Thank you. I would also like to enter  
13238 into the record a statement of opposition on the bill from a  
13239 steelworker that works at the Marathon refinery in Texas  
13240 City, Texas that has successfully made the shift from HF to  
13241 sulfuric acid.

13242           \*Mr. Johnson. Without objection, so ordered.

13243           [The information follows:]

13244

13245           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

13246

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13247           \*Mr. Pallone. Thank you. Actually, I think I have time  
13248 that I can just read this. It says -- this is from James  
13249 Townsend, who says, "I have worked in the Marathon refinery  
13250 in Texas City, Texas for 16 years. A refinery uses the HF  
13251 alkylation process. HF is the most dangerous substance and  
13252 process utilized in the refining industry. I support  
13253 requiring refiners to perform periodic STAA to determine if  
13254 inherently safer technologies are technologically and  
13255 economically feasible. As an average steelworker, I urge  
13256 Congress to oppose H.R. 1155.''

13257           And then the last thing, Mr. Chairman, is a letter to  
13258 Ranking Member -- I am sorry, to me and to Chairwoman Cathy  
13259 McMorris Rodgers from the United Steelworkers opposing the  
13260 bill. And I won't read it, but if I could enter that, ask  
13261 unanimous consent --

13262           \*Mr. Johnson. Without objection, so ordered.

13263           [The information follows:]

13264

13265           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

13266

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13267           \*Mr. Pallone. Thank you, Mr. Chairman, and I yield  
13268 back.

13269           \*Mr. Johnson. The gentleman yields back. Is there  
13270 further discussion on the amendment?

13271           If there is no further discussion --

13272           \*Mr. Pallone. I think --

13273           \*Mr. Johnson. Oh, I am sorry. For what purpose does  
13274 the gentlelady seek --

13275           \*Ms. Eshoo. To strike the last word, Mr. Chairman.

13276           \*Mr. Johnson. The gentlelady is recognized for five  
13277 minutes.

13278           \*Ms. Eshoo. Thank you. I rise to -- in support of the  
13279 amendment.

13280           When I was looking at our summary of bills here -- and I  
13281 think we have all been looking at this to see how close to  
13282 the end we are -- and got ahead of where we were, and read  
13283 the summary for this bill, "bans the hazard assessment" --  
13284 so no hazard assessment of hydrofluoric acid -- "at  
13285 facilities under the risk management plan program at EPA."

13286           So I punched into my iPhone, "What are the dangers of  
13287 hydrofluoric acid?" You can all do this. You are going to

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13288 get exactly what I am reading. Here it is: hydrofluoric  
13289 acid is fatal if inhaled, if swallowed, or in contact with  
13290 skin. It causes severe skin burns and severe eye damage.  
13291 The effects may be delayed after exposure. Okay? So that is  
13292 what -- that is the short description.

13293 OSHA, the Occupational Safety and Health Administration  
13294 which governs safety -- worker safety, describes any -- Mr.  
13295 Chairman, the committee is not in order.

13296 \*The Chair. [Presiding] The committee will come to  
13297 order. The gentlewoman deserves to be recognized and  
13298 listened to.

13299 \*Ms. Eshoo. Thank you, Madam Chairwoman. I think they  
13300 are still not listening to you.

13301 But anyway, OSHA describes any contact with HF liquid or  
13302 vapor can produce serious, painful chemical burns. The vapor  
13303 can be extremely irritating to the eyes, skin, and  
13304 respiratory tract.

13305 The NIH states that HF ingestion, inhalation, and  
13306 exposure can cause dermal burns, eye injury, acute  
13307 respiratory systems, systemic fluoride toxicity, including  
13308 cardiovascular, pulmonary, renal, and neuromuscular symptoms,

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13309 electrolyte imbalance, and enzyme inhibition, which can lead  
13310 to cardiac arrhythmias and, ultimately, death.

13311           So we are not talking about a vanilla milkshake here.  
13312 We are not talking about a cup of coffee that may be somewhat  
13313 acidic for some people if it tips over, if they ingest it.  
13314 We are talking about something that can kill people. Why,  
13315 why, why would anyone want to remove any kind of hazard  
13316 assessment of hydrofluoric acid?

13317           Should we have it wheeled in here, so we can test it?  
13318 Anyone willing to subject themselves to what I just read into  
13319 the record?

13320           This is dangerous. This is dangerous. This is, I  
13321 think, so highly irresponsible. I know it is late, everyone  
13322 wants to leave. I have missed a major event, myself. But  
13323 this is -- I mean, to say that it is detrimental health  
13324 impacts -- it is off the charts. It is off the charts. So  
13325 in anyone's zeal to speak about something inside of an  
13326 agency, and permitting, and slow down, you know what? This  
13327 deserves risk management.

13328           And if there is something safer, which is what this  
13329 program -- it doesn't mandate anything. All it does is it

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13330 calls for an analysis to see if there are any better, safer  
13331 alternatives. I don't know about all of you, but what I just  
13332 read into the record, I would really like to know what the  
13333 hell is safer than hydraulic -- hydrofluoric acid.

13334 This is a very dangerous proposal, and it should be  
13335 rejected because it is dangerous, not because a Republican  
13336 spoke to it or if it was a Democrat. We have got to be  
13337 sensible here. So I think this needs bipartisan rejection.

13338 And with that, I yield back.

13339 \*The Chair. Is there further discussion on the  
13340 amendment?

13341 \*Mr. Crenshaw. Madam Chair, I move to strike the last  
13342 word.

13343 \*The Chair. The gentleman is recognized for five  
13344 minutes to strike the last word.

13345 \*Mr. Crenshaw. Well, I would like to respond to some of  
13346 the concerns and the support of that amendment.

13347 Look, if this bill is so dangerous, right -- what this  
13348 bill does is bring us back to the status quo. The EPA rule  
13349 that was recently proposed is what the big change is. And so  
13350 the question is, why would we add this new regulation? What

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13351 are we basing that off of? I have already named the two  
13352 incidents that they are supposedly basing it off of. In one  
13353 incident in California, nothing actually happened. No  
13354 hydrofluoric acid was released.

13355 And yes, I agree that you wouldn't want to put  
13356 hydrofluoric acid in a milkshake, just like you wouldn't want  
13357 to put sulfuric acid in a milkshake, which, by the way, is  
13358 the only other viable alternative if you don't want  
13359 hydrofluoric acid refineries. Sulfuric acid, by the way, has  
13360 all of the same exact attributes as hydrofluoric acid. It  
13361 can kill you, it stings your eyes and skin. By the way, so  
13362 does bleach. Nobody recommends that we just drink bleach,  
13363 either. Okay? But you can buy it at Walmart. Are we going  
13364 to ban it from all Walmart?

13365 [Laughter.]

13366 \*Mr. Crenshaw. All right. Did that trigger some fun  
13367 times from COVID? I got you. All right.

13368 [Laughter.]

13369 \*The Chair. Okay, the committee will come to order.  
13370 The gentleman will be recognized. All right.

13371 \*Mr. Crenshaw. I mean this -- anyway, this is kind of a

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13372 ridiculous conversation. Like, there is no way to describe  
13373 my bill as dangerous, because all it does is bring us back to  
13374 a perfectly normal status quo, where no one was actually  
13375 getting hurt. The only other time that hydrofluoric acid was  
13376 released was in Philadelphia, and the Chemical Board said no  
13377 one was hurt by it.

13378 No, you shouldn't drink it. No, you shouldn't use it in  
13379 your makeup. Like, obviously.

13380 But by the way, only two percent of the demand for  
13381 hydrofluoric acid actually comes from refineries. The rest  
13382 of the things you like and use, hydrofluoric acid is a part  
13383 of that. Should we ban it all? How many things in this room  
13384 would just disappear if we didn't have this particular  
13385 chemical? Most of these chemicals are dangerous. It turns  
13386 out, though, that we have six different agencies overseeing  
13387 the use of hydrofluoric acid. We have industry standards  
13388 overseeing the use of it.

13389 This amendment pretends that no actions are ever taken  
13390 to mitigate these risks, and that is just not true. And so I  
13391 am against the amendment for that reason. Thank you.

13392 \*The Chair. The gentleman yields back. Is there

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13393 further discussion on the amendment?

13394 The question will be on the amendment.

13395 \*Mr. Pallone. I want a recorded vote again.

13396 \*The Chair. A recorded vote has been requested. The  
13397 clerk will call the roll.

13398 \*The Clerk. Rodgers?

13399 \*The Chair. No.

13400 \*The Clerk. Rodgers votes no.

13401 Burgess?

13402 \*Mr. Burgess. Votes no.

13403 \*The Clerk. Burgess votes no.

13404 Latta?

13405 \*Mr. Latta. [Inaudible.]

13406 \*The Clerk. Latta votes no.

13407 Guthrie?

13408 \*Mr. Guthrie. No.

13409 \*The Clerk. Guthrie votes no.

13410 Griffith?

13411 \*Mr. Griffith. No.

13412 \*The Clerk. Griffith votes no.

13413 Bilirakis?

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13414 \*Mr. Bilirakis. No.  
13415 \*The Clerk. Bilirakis votes no.  
13416 Johnson?  
13417 \*Mr. Johnson. No.  
13418 \*The Clerk. Johnson votes no.  
13419 Bucshon?  
13420 \*Mr. Bucshon. No.  
13421 \*The Clerk. Bucshon votes no.  
13422 Hudson?  
13423 [No response.]  
13424 \*The Clerk. Walberg?  
13425 \*Mr. Walberg. No.  
13426 \*The Clerk. Walberg votes no  
13427 Carter?  
13428 \*Mr. Carter. No.  
13429 \*The Clerk. Carter votes no.  
13430 Duncan?  
13431 \*Mr. Duncan. No.  
13432 \*The Clerk. Duncan votes no.  
13433 Palmer?  
13434 [No response.]

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13435           \*The Clerk.   Dunn?  
13436           \*Mr. Dunn.    No.  
13437           \*The Clerk.   Dunn votes no.  
13438           Curtis?  
13439           \*Mr. Curtis.  [Inaudible.]  
13440           \*The Clerk.   Curtis votes no.  
13441           Lesko?  
13442           \*Mrs. Lesko.  No.  
13443           \*The Clerk.   Lesko votes no.  
13444           Pence?  
13445           \*Mr. Pence.   [Inaudible.]  
13446           \*The Clerk.   Pence votes no.  
13447           Crenshaw?  
13448           \*Mr. Crenshaw. No.  
13449           \*The Clerk.   Crenshaw votes no.  
13450           Joyce?  
13451           \*Mr. Joyce.   No.  
13452           \*The Clerk.   Joyce votes no.  
13453           Armstrong?  
13454           \*Mr. Armstrong. No.  
13455           \*The Clerk.   Armstrong votes no.

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13456 Weber?  
13457 \*Mr. Weber. [Inaudible.]  
13458 \*The Clerk. Weber votes no.  
13459 \*Mr. Allen. No.  
13460 \*The Clerk. Allen votes no.  
13461 Balderson?  
13462 \*Mr. Balderson. [Inaudible.]  
13463 \*The Clerk. Balderson votes no.  
13464 Fulcher?  
13465 \*Mr. Fulcher. Fulcher, no.  
13466 \*The Clerk. Fulcher votes no.  
13467 Pfluger?  
13468 \*Mr. Pfluger. No.  
13469 \*The Clerk. Pfluger votes no.  
13470 Harshbarger?  
13471 \*Mrs. Harshbarger. [Inaudible.]  
13472 \*The Clerk. Harshbarger votes no.  
13473 Miller-Meeks?  
13474 [No response.]  
13475 \*The Clerk. Cammack?  
13476 \*Mrs. Cammack. No.

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13477 \*The Clerk. Cammack votes no.  
13478 Obernolte?  
13479 \*Mr. Obernolte. No.  
13480 \*The Clerk. Obernolte votes no.  
13481 Pallone?  
13482 \*Mr. Pallone. Aye.  
13483 \*The Clerk. Pallone votes aye.  
13484 Eshoo?  
13485 \*Ms. Eshoo. Aye.  
13486 \*The Clerk. Eshoo votes aye.  
13487 DeGette?  
13488 \*Ms. DeGette. Aye.  
13489 \*The Clerk. DeGette votes aye.  
13490 Schakowsky?  
13491 \*Ms. Schakowsky. Aye.  
13492 \*The Clerk. Schakowsky votes aye.  
13493 Matsui?  
13494 [No response.]  
13495 \*The Clerk. Castor?  
13496 \*Ms. Castor. Aye.  
13497 \*The Clerk. Castor votes aye.

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13498 Sarbanes?  
13499 \*Mr. Sarbanes. Aye.  
13500 \*The Clerk. Sarbanes votes aye.  
13501 Tonko?  
13502 \*Mr. Tonko. Aye.  
13503 \*The Clerk. Tonko votes aye.  
13504 Clarke?  
13505 \*Ms. Clarke. Aye.  
13506 \*The Clerk. Clarke votes aye.  
13507 Cardenas?  
13508 \*Mr. Cardenas. Aye.  
13509 \*The Clerk. Cardenas votes aye.  
13510 Ruiz?  
13511 \*Mr. Ruiz. Aye.  
13512 \*The Clerk. Ruiz votes aye.  
13513 Peters?  
13514 \*Mr. Peters. [Inaudible.]  
13515 \*The Clerk. Peters votes aye.  
13516 Dingell?  
13517 \*Mrs. Dingell. Aye.  
13518 \*The Clerk. Dingell votes aye.

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13519           Veasey?  
13520           \*Mr. Veasey.   Aye.  
13521           \*The Clerk.   Veasey votes aye.  
13522           Kuster?  
13523           \*Ms. Kuster.   Aye.  
13524           \*The Clerk.   Kuster votes aye.  
13525           Kelly?  
13526           \*Ms. Kelly.    Aye.  
13527           \*The Clerk.   Kelly votes aye.  
13528           Barragan?  
13529           [No response.]  
13530           \*The Clerk.   Blunt Rochester?  
13531           \*Ms. Blunt Rochester.   Aye.  
13532           \*The Clerk.   Blunt Rochester votes aye.  
13533           Soto?  
13534           [No response.]  
13535           \*The Clerk.   Craig?  
13536           \*Ms. Craig.    Aye.  
13537           \*The Clerk.   Craig votes aye.  
13538           Schrier?  
13539           [No response.]

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13540           \*The Clerk. Trahan?

13541           \*Mrs. Trahan. [Inaudible.]

13542           \*The Clerk. Trahan votes aye.

13543           Fletcher?

13544           \*Mrs. Fletcher. Aye.

13545           \*The Clerk. Fletcher votes aye.

13546           \*The Chair. Are any other members seeking to be

13547 recorded?

13548           Mrs. Cammack, how is she recorded?

13549           \*The Clerk. Mrs. Cammack is not recorded.

13550           \*Mrs. Cammack. Cammack votes nay.

13551           \*The Clerk. Cammack votes no.

13552           [Pause.]

13553           \*Mr. Pallone. There is one more amendment.

13554           \*The Chair. One more amendment.

13555           The clerk will report.

13556           \*The Clerk. Chair Rodgers, on that vote we have 19 ayes

13557 and 26 noes.

13558           \*The Chair. The nays have it, and the amendment is not

13559 adopted.

13560           Are there further amendments?

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13561 For what purpose does Ms. Clarke seek recognition?

13562 \*Ms. Clarke. Madam Chair, I have an amendment at the  
13563 desk titled FCD\_03.

13564 \*The Chair. The clerk will report the amendment.

13565 \*The Clerk. Amendment to H.R. 1155, offered by Ms.  
13566 Clarke. Page 3, after line 2, add the following: "Effective  
13567 date'" --

13568 \*The Chair. Without objection, the reading of the  
13569 amendment is dispensed with.

13570 [The amendment of Ms. Clarke follows:]

13571

13572 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

13573

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13574           \*The Chair. Ms. Clarke is recognized for five minutes  
13575 in support of her amendment.

13576           \*Ms. Clarke. Thank you, Madam Chair. Thank you very  
13577 much, Madam Chair.

13578           I think both sides can agree that refineries are  
13579 critical infrastructure for our nation. Because of that  
13580 status, they can also be targets for external threats. My  
13581 position on the Homeland Security Committee has taught me  
13582 that the best way to reduce the risk is to reduce the target.  
13583 If hydrofluoric acid is a risk to the facility, the workers,  
13584 the surrounding community, and the first responders that have  
13585 to respond to a catastrophic event, then that facility has a  
13586 higher risk value than one using a safer alternative like  
13587 sulfuric acid.

13588           The national security community has long outlined the  
13589 potential threat posed by facilities using high-risk  
13590 chemicals, as leaks and explosions have the potential to kill  
13591 and injure thousands. It is obvious to me that, to protect a  
13592 critical facility, we should be promoting safer technology  
13593 analysis so businesses know the full scope of options  
13594 available for safety and risk management. I would much

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13595 rather these facilities look ahead at their options and plan  
13596 for the worst case scenarios than allowing another tragic  
13597 chemical disaster to happen.

13598 We should not allow chemical infrastructure to continue  
13599 operating as usual without considering future safety and risk  
13600 mitigation; it is shortsighted and dangerous. With recent  
13601 attacks on other critical infrastructure like those in North  
13602 Carolina and Washington on substations, it is vital that we  
13603 secure potential targets like refineries, rather than making  
13604 them more hazardous.

13605 So my amendment is simple. It would delay the effective  
13606 date of the bill until the EPA administrator and any relevant  
13607 agency heads confirm that none of the provisions within this  
13608 bill would increase the vulnerability of these facilities to  
13609 external security threats.

13610 I see no reason why my colleagues can't agree to this  
13611 amendment, and I recommend we all vote yes on this amendment.

13612 Madam Chairwoman, I yield back.

13613 \*The Chair. The gentlelady yields back. Is there  
13614 further discussion on the amendment?

13615 Hearing none, the vote is called on the amendment.

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13616 All those in favor, say aye.  
13617 Those opposed, no.  
13618 \*Mr. Pallone. A recorded vote.  
13619 \*The Chair. The noes have it.  
13620 \*Mr. Pallone. A recorded vote.  
13621 \*The Chair. A recorded vote has been requested. The  
13622 clerk will call the roll.  
13623 \*The Clerk. Rodgers?  
13624 \*The Chair. No.  
13625 \*The Clerk. Rodgers votes no.  
13626 Burgess?  
13627 \*Mr. Burgess. Votes no.  
13628 \*The Clerk. Burgess votes no.  
13629 Latta?  
13630 \*Mr. Latta. [Inaudible.]  
13631 \*The Clerk. Latta votes no.  
13632 Guthrie?  
13633 \*Mr. Guthrie. No.  
13634 \*The Clerk. Guthrie votes no.  
13635 Griffith?  
13636 \*Mr. Griffith. No.

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13637           \*The Clerk. Griffith votes no.  
13638           Bilirakis?  
13639           \*Mr. Bilirakis. No.  
13640           \*The Clerk. Bilirakis votes no.  
13641           Johnson?  
13642           \*Mr. Johnson. No.  
13643           \*The Clerk. Johnson votes no.  
13644           Bucshon?  
13645           \*Mr. Bucshon. No.  
13646           \*The Clerk. Bucshon votes no.  
13647           Hudson?  
13648           [No response.]  
13649           \*The Clerk. Walberg?  
13650           \*Mr. Walberg. No.  
13651           \*The Clerk. Walberg votes no  
13652           Carter?  
13653           \*Mr. Carter. No.  
13654           \*The Clerk. Carter votes no.  
13655           Duncan?  
13656           \*Mr. Duncan. No.  
13657           \*The Clerk. Duncan votes no.

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13658 Palmer?  
13659 [No response.]  
13660 \*The Clerk. Dunn?  
13661 \*Mr. Dunn. No.  
13662 \*The Clerk. Dunn votes no.  
13663 Curtis?  
13664 \*Mr. Curtis. [Inaudible.]  
13665 \*The Clerk. Curtis votes no.  
13666 Lesko?  
13667 \*Mrs. Lesko. No.  
13668 \*The Clerk. Lesko votes no.  
13669 Pence?  
13670 \*Mr. Pence. No.  
13671 \*The Clerk. Pence votes no.  
13672 Crenshaw?  
13673 \*Mr. Crenshaw. No.  
13674 \*The Clerk. Crenshaw votes no.  
13675 Joyce?  
13676 \*Mr. Joyce. No.  
13677 \*The Clerk. Joyce votes no.  
13678 Armstrong?

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13679 \*Mr. Armstrong. No.  
13680 \*The Clerk. Armstrong votes no.  
13681 Weber?  
13682 \*Mr. Weber. No.  
13683 \*The Clerk. Weber votes no.  
13684 Allen?  
13685 \*Mr. Allen. No.  
13686 \*The Clerk. Allen votes no.  
13687 Balderson?  
13688 \*Mr. Balderson. [Inaudible.]  
13689 \*The Clerk. Balderson votes no.  
13690 Fulcher?  
13691 \*Mr. Fulcher. Fulcher, no.  
13692 \*The Clerk. Fulcher votes no.  
13693 Pfluger?  
13694 \*Mr. Pfluger. No.  
13695 \*The Clerk. Pfluger votes no.  
13696 Harshbarger?  
13697 \*Mrs. Harshbarger. [Inaudible.]  
13698 \*The Clerk. Harshbarger votes no.  
13699 Miller-Meeks?

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13700 [No response.]

13701 \*The Clerk. Cammack?

13702 \*Mrs. Cammack. No.

13703 \*The Clerk. Cammack votes no.

13704 Obernolte?

13705 \*Mr. Obernolte. No.

13706 \*The Clerk. Obernolte votes no.

13707 Pallone?

13708 \*Mr. Pallone. Aye.

13709 \*The Clerk. Pallone votes aye.

13710 Eshoo?

13711 \*Ms. Eshoo. Aye.

13712 \*The Clerk. Eshoo votes aye.

13713 DeGette?

13714 \*Ms. DeGette. Aye.

13715 \*The Clerk. DeGette votes aye.

13716 Schakowsky?

13717 \*Ms. Schakowsky. Aye.

13718 \*The Clerk. Schakowsky votes aye.

13719 Matsui?

13720 [No response.]

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

13721           \*The Clerk. Castor?  
13722           \*Ms. Castor. Aye.  
13723           \*The Clerk. Castor votes aye.  
13724           Sarbanes?  
13725           [No response.]  
13726           \*The Clerk. Tonko?  
13727           \*Mr. Tonko. Aye.  
13728           \*The Clerk. Tonko votes aye.  
13729           Clarke?  
13730           \*Ms. Clarke. Aye.  
13731           \*The Clerk. Clarke votes aye.  
13732           Cardenas?  
13733           \*Mr. Cardenas. Aye.  
13734           \*The Clerk. Cardenas votes aye.  
13735           Ruiz?  
13736           \*Mr. Ruiz. Aye.  
13737           \*The Clerk. Ruiz votes aye.  
13738           Peters?  
13739           \*Mr. Peters. [Inaudible.]  
13740           \*The Clerk. Peters votes aye.  
13741           Dingell?

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13742 \*Mrs. Dingell. Aye.  
13743 \*The Clerk. Dingell votes aye.  
13744 Veasey?  
13745 \*Mr. Veasey. Aye.  
13746 \*The Clerk. Veasey votes aye.  
13747 Kuster?  
13748 \*Ms. Kuster. Aye.  
13749 \*The Clerk. Kuster votes aye.  
13750 Kelly?  
13751 \*Ms. Kelly. Aye.  
13752 \*The Clerk. Kelly votes aye.  
13753 Barragan?  
13754 [No response.]  
13755 \*The Clerk. Blunt Rochester?  
13756 \*Ms. Blunt Rochester. Aye.  
13757 \*The Clerk. Blunt Rochester votes aye.  
13758 Soto?  
13759 [No response.]  
13760 \*The Clerk. Craig?  
13761 \*Ms. Craig. [Inaudible.]  
13762 \*The Clerk. Craig votes aye.

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13763 Schrier?

13764 [No response.]

13765 \*The Clerk. Trahan?

13766 \*Mrs. Trahan. [Inaudible.]

13767 \*The Clerk. Trahan votes aye.

13768 Fletcher?

13769 \*Mrs. Fletcher. [Inaudible.]

13770 \*The Clerk. Fletcher votes aye.

13771 \*The Chair. Does any other member seek to be recorded?

13772 [Pause.]

13773 \*The Chair. The clerk will report.

13774 \*The Clerk. Chair Rodgers, on that vote we have 18 ayes  
13775 and 26 noes.

13776 \*The Chair. The noes have it, the amendment is not  
13777 agreed to.

13778 Are there further amendments?

13779 \*Mr. Pallone. That is it.

13780 \*The Chair. That is it. The question now occurs on  
13781 approving H.R. 1155, as amended.

13782 All those in favor -- well, the clerk will call the  
13783 roll.

**This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.**

13784           \*The Clerk.  Rodgers?  
13785           \*The Chair.  Aye.  
13786           \*The Clerk.  Rodgers votes aye.  
13787           Burgess?  
13788           \*Mr. Burgess.  Votes aye.  
13789           \*The Clerk.  Burgess votes aye.  
13790           Latta?  
13791           \*Mr. Latta.  Aye.  
13792           \*The Clerk.  Latta votes aye.  
13793           Guthrie?  
13794           \*Mr. Guthrie.  Aye.  
13795           \*The Clerk.  Guthrie votes aye.  
13796           Griffith?  
13797           \*Mr. Griffith.  Aye.  
13798           \*The Clerk.  Griffith votes aye.  
13799           Bilirakis?  
13800           \*Mr. Bilirakis.  Aye.  
13801           \*The Clerk.  Bilirakis votes aye.  
13802           Johnson?  
13803           \*Mr. Johnson.  Aye.  
13804           \*The Clerk.  Johnson votes aye.

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13805           Bucshon?  
13806           \*Mr. Bucshon. Aye.  
13807           \*The Clerk. Bucshon votes aye.  
13808           Hudson?  
13809           [No response.]  
13810           \*The Clerk. Walberg?  
13811           \*Mr. Walberg. Aye.  
13812           \*The Clerk. Walberg votes aye.  
13813           Carter?  
13814           \*Mr. Carter. Aye.  
13815           \*The Clerk. Carter votes aye.  
13816           Duncan?  
13817           \*Mr. Duncan. Aye.  
13818           \*The Clerk. Duncan votes aye.  
13819           Palmer?  
13820           [No response.]  
13821           \*The Clerk. Dunn?  
13822           \*Mr. Dunn. Aye.  
13823           \*The Clerk. Dunn votes aye.  
13824           Curtis?  
13825           \*Mr. Curtis. Aye.

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13826           \*The Clerk. Curtis votes aye.  
13827           Lesko?  
13828           \*Mrs. Lesko. Aye.  
13829           \*The Clerk. Lesko votes aye.  
13830           Pence?  
13831           \*Mr. Pence. Aye.  
13832           \*The Clerk. Pence votes aye.  
13833           Crenshaw?  
13834           \*Mr. Crenshaw. Aye.  
13835           \*The Clerk. Crenshaw votes aye.  
13836           Joyce?  
13837           \*Mr. Joyce. Aye.  
13838           \*The Clerk. Joyce votes aye.  
13839           Armstrong?  
13840           \*Mr. Armstrong. Yes.  
13841           \*The Clerk. Armstrong votes aye.  
13842           Weber?  
13843           \*Mr. Weber. Aye.  
13844           \*The Clerk. Weber votes aye.  
13845           Allen?  
13846           \*Mr. Allen. Aye.

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13847           \*The Clerk. Allen votes aye.  
13848           Balderson?  
13849           \*Mr. Balderson. Aye.  
13850           \*The Clerk. Balderson votes aye.  
13851           Fulcher?  
13852           \*Mr. Fulcher. Fulcher is aye.  
13853           \*The Clerk. Fulcher votes aye.  
13854           Pflugger?  
13855           \*Mr. Pflugger. Aye.  
13856           \*The Clerk. Pflugger votes aye.  
13857           Harshbarger?  
13858           \*Mrs. Harshbarger. [Inaudible.]  
13859           \*The Clerk. Harshbarger votes aye.  
13860           Miller-Meeks?  
13861           [No response.]  
13862           \*The Clerk. Cammack?  
13863           \*Mrs. Cammack. Aye.  
13864           \*The Clerk. Cammack votes aye.  
13865           Oberholte?  
13866           \*Mr. Oberholte. [Inaudible.]  
13867           \*The Clerk. Oberholte votes aye.

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13868 Pallone?  
13869 \*Mr. Pallone. [Inaudible.]  
13870 \*The Clerk. Pallone votes no.  
13871 Eshoo?  
13872 \*Ms. Eshoo. No.  
13873 \*The Clerk. Eshoo votes no.  
13874 DeGette?  
13875 \*Ms. DeGette. DeGette votes no.  
13876 \*The Clerk. DeGette votes no.  
13877 Schakowsky?  
13878 \*Ms. Schakowsky. No.  
13879 \*The Clerk. Schakowsky votes no.  
13880 Matsui?  
13881 [No response.]  
13882 \*The Clerk. Castor?  
13883 \*Ms. Castor. No.  
13884 \*The Clerk. Castor votes no.  
13885 Sarbanes?  
13886 \*Mr. Sarbanes. No.  
13887 \*The Clerk. Sarbanes votes no.  
13888 Tonko?

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13889 \*Mr. Tonko. No.  
13890 \*The Clerk. Tonko votes no.  
13891 Clarke?  
13892 \*Ms. Clarke. No.  
13893 \*The Clerk. Clarke votes no.  
13894 Cardenas?  
13895 \*Mr. Cardenas. No.  
13896 \*The Clerk. Cardenas votes no.  
13897 Ruiz?  
13898 \*Mr. Ruiz. No.  
13899 \*The Clerk. Ruiz votes no.  
13900 Peters?  
13901 \*Mr. Peters. [Inaudible.]  
13902 \*The Clerk. Peters votes no.  
13903 Dingell?  
13904 \*Mrs. Dingell. [Inaudible.]  
13905 \*The Clerk. Dingell votes no.  
13906 Veasey?  
13907 \*Mr. Veasey. No.  
13908 \*The Clerk. Veasey votes no.  
13909 Kuster?

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13910 \*Ms. Kuster. No.

13911 \*The Clerk. Kuster votes no.

13912 Kelly?

13913 \*Ms. Kelly. No.

13914 \*The Clerk. Kelly votes no.

13915 Barragan?

13916 [No response.]

13917 \*The Clerk. Blunt Rochester?

13918 \*Ms. Blunt Rochester. No.

13919 \*The Clerk. Blunt Rochester votes no.

13920 Soto?

13921 [No response.]

13922 \*The Clerk. Craig?

13923 [No response.]

13924 \*The Clerk. Craig?

13925 \*Ms. Craig. [Inaudible.]

13926 \*The Clerk. Craig votes no.

13927 Schrier?

13928 [No response.]

13929 \*The Clerk. Trahan?

13930 \*Mrs. Trahan. [Inaudible.]

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13931           \*The Clerk. Trahan votes no.  
13932           Fletcher?  
13933           \*Mrs. Fletcher. No.  
13934           \*The Clerk. Fletcher votes no.  
13935           [Pause.]  
13936           \*The Chair. Are any other members seeking to be  
13937 recorded?  
13938           [Pause.]  
13939           \*The Chair. The clerk will report.  
13940           \*The Clerk. Chair Rodgers, on that vote we have 26 ayes  
13941 and 19 noes.  
13942           \*The Chair. The ayes have it, the -- and the bill is  
13943 adopted.  
13944           \*Mr. Pallone. All right. So we got --  
13945           \*The Chair. Three cheers for Clerk Jolie. Yes, woo  
13946 hoo, great job.  
13947           All right, without objection, staff is authorized to  
13948 make technical and conforming changes to the legislation  
13949 approved by the committee today.  
13950           So ordered.  
13951           Without objection, the committee stands adjourned.

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13952           [Whereupon, at 7:15 p.m., the subcommittee was  
13953 adjourned.]