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5 MARKUP OF:

6 H.R. 1435 (JOYCE), THE PRESERVING CHOICE IN VEHICLE PURCHASES  
7 ACT;

8 H.R. 4468 (WALBERG), THE CHOICE IN AUTOMOBILE RETAIL SALES  
9 ACT OF 2023;

10 H.R. 4469 (PENCE), THE NO FUEL CREDITS FOR BATTERIES ACT OF  
11 2023;

12 H.R. 4510 (LATTA), NTIA REAUTHORIZATION ACT OF 2023;

13 H.R. 3385 (PLASKETT), DIASPORA LINK ACT; AND

14 H.R. 3369 (HARDER), AI ACCOUNTABILITY ACT

15 THURSDAY, JULY 27, 2023

16 House of Representatives,

17 Committee on Energy and Commerce,

18 Washington, D.C.

19

20

21 The committee met, pursuant to call, at 10:03 a.m. in

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22 Room 2123, Rayburn House Office Building, Hon. Cathy McMorris  
23 Rodgers [chair of the committee] presiding.

24

25 Present: Representatives Rodgers, Burgess, Latta,  
26 Guthrie, Griffith, Bilirakis, Johnson, Bucshon, Hudson,  
27 Walberg, Carter, Duncan, Palmer, Dunn, Curtis, Lesko, Pence,  
28 Crenshaw, Joyce, Armstrong, Weber, Allen, Balderson, Fulcher,  
29 Pfluger, Harshbarger, Miller-Meeks, Cammack, Obernolte;  
30 Pallone, Eshoo, DeGette, Schakowsky, Matsui, Castor,  
31 Sarbanes, Tonko, Clarke, Cardenas, Ruiz, Peters, Dingell,  
32 Veasey, Kuster, Kelly, Barragan, Blunt Rochester, Soto,  
33 Craig, Schrier, Trahan, and Fletcher.

34

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35           Staff Present: Sarah Alexander, Professional Staff  
36 Member, Energy and Environment; Sean Brebbia, Chief Counsel,  
37 Oversight & Investigations; Jolie Brochin, Clerk, Health;  
38 Sarah Burke, Deputy Staff Director; Michael Cameron,  
39 Professional Staff Member, IDC; Jerry Couri, Deputy Chief  
40 Counsel for Environment; Lauren Eriksen, Clerk, O&I; Sydney  
41 Greene, Director of Operations; Slate Herman, Counsel, C&T;  
42 Jessica Herron, Clerk, IDC; Nate Hodson, Staff Director; Tara  
43 Hupman, Chief Counsel; Noah Jackson, Clerk, C&T; Sean Kelly,  
44 Press Secretary; Peter Kielty, General Counsel; Emily King,  
45 Member Services Director; Giulia Leganski, Professional Staff  
46 Member, C&T; John Lin, Senior Counsel, C&T; Mary Martin,  
47 Chief Counsel, Energy & Environment; Jacob McCurdy,  
48 Professional Staff Member, Energy; Brandon Mooney, Deputy  
49 Chief Counsel for Energy; Kate O'Connor, Chief Counsel, C&T;  
50 Emma Schultheis, Staff Assistant; Olivia Shields,  
51 Communications Director; Peter Spencer, Senior Professional  
52 Staff Member, Energy; Michael Taggart, Policy Director; Evan  
53 Viau, Professional Staff Member, C&T; Hannah Anton, Minority  
54 Staff Assistant; Jennifer Epperson, Minority Chief Counsel,  
55 Communications and Technology; Waverly Gordon, Minority

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56 Deputy Staff Director and General Counsel; Tiffany Guarascio,  
57 Minority Staff Director; Caitlin Haberman, Minority Staff  
58 Director, Environment, Manufacturing, and Critical Minerals;  
59 Perry Hamilton, Minority Member Services and Outreach  
60 Manager; Mackenzie Kuhl, Minority Digital Manager; Dan  
61 Miller, Minority Professional Staff Member; Emma Roehrig,  
62 Minority Staff Assistant; Kylea Rogers, Minority Policy  
63 Analyst; Michael Scurato, Minority FCC Detailee; Andrew  
64 Souvall, Minority Director of Communications, Outreach, and  
65 Member Services; Medha Surampudy, Minority Professional Staff  
66 Member; Johanna Thomas, Minority Counsel; Rebecca Tomilchik,  
67 Minority Junior Professional Staff Member; Keegan Cardman,  
68 Minority Intern; and Nicole Lu, Minority Intern.

69

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70           \*The Chair. The committee will come to order, and the  
71 chair recognizes herself for an opening statement.

72           Good morning, everyone.

73           For decades, America has led the world in technologies  
74 that have transformed people's lives and raised their  
75 standard of living, from state-of-the-art communications  
76 networks to cutting-edge automotive technologies. To win the  
77 future we must continue to lead. Right now, China is our  
78 number one national security, economic, and technological  
79 threat. They are challenging the global influence of the  
80 U.S. in these key industries. We must confront these  
81 challenges by promoting American innovation and  
82 entrepreneurship.

83           Our bill to reauthorize NTIA will help us beat China by  
84 providing NTIA the tools needed to use resources like  
85 spectrum more efficiently, streamline regulations, and  
86 advance connectivity across the United States. This will  
87 enhance Internet and public safety services across the  
88 country, and create more economic opportunities for millions  
89 of Americans. The bill promotes broadband deployment by  
90 strengthening agency coordination, and secures our networks

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91 from foreign threats.

92 We also have several solutions before us that will  
93 ensure Americans continue to have the ability to choose the  
94 vehicles and the fuels that best serve their needs. This is  
95 a critical moment in history. We must be honest with the  
96 American people about how forcing them to switch to electric  
97 vehicles plays right into China's scheme to control our  
98 automotive future. China already controls access to critical  
99 minerals necessary for EVs. It controls 76 percent of global  
100 battery cell production capacity for EVs, around 75 percent  
101 of all lithium ion batteries, and the majority of processing  
102 and refining capacity for over half of the world's lithium,  
103 cobalt, and graphite. And last quarter it became the largest  
104 exporter of new motor vehicles in the world, surpassing  
105 Japan.

106 Instead of forcing Americans to switch to EVs, let's get  
107 back to the true goals, which are reducing carbon emissions,  
108 improving fuel efficiency, and preserving Americans' access  
109 to affordable transportation choices. The legislative  
110 solutions today will ensure that we don't hand our automotive  
111 or communications future to the Chinese Communist Party.

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112           America, not China, must lead the way in cutting-edge  
113 technologies. We need to stay focused on securing America's  
114 leadership in these sectors through innovation,  
115 entrepreneurship, and promoting a free, competitive market to  
116 lower costs for people. That is how we have led for decades,  
117 and that is how we win the future.

118           I now recognize the gentleman from New Jersey, Mr.  
119 Pallone, for five minutes for an opening statement.

120           \*Mr. Pallone. Thank you, Madam Chair.

121           Today is our last markup before we depart for the August  
122 recess.

123           Committee Democrats have been laser focused on efforts  
124 to grow our economy and lower costs to the American people.  
125 Three laws passed during the last Congress -- the Bipartisan  
126 Infrastructure Law, the Inflation Reduction Act, and the  
127 CHIPS and Science Act -- are beginning to make a real  
128 difference. We continue to work to build upon these  
129 successes, and we continue to fight back efforts by committee  
130 Republicans to undermine these laws, which would only weaken  
131 our economy and raise prices on Americans. Those Republican  
132 efforts will, unfortunately, continue at this markup.

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133 Today we are considering six bills, and I am pleased  
134 that we will begin with three bipartisan bills that advanced  
135 out of the Communications and Technology Subcommittee.

136 H.R. 4510, the NTIA Reauthorization Act, is bipartisan  
137 legislation from Subcommittee Chairman Latta and Ranking  
138 Member Matsui. It reauthorizes the National  
139 Telecommunications and Information Administration and  
140 elevates its leadership in the Department of Commerce by  
141 making the administrative position as undersecretary. This  
142 change and the other provisions will help to better reflect  
143 the agency's current mission and responsibilities. It also  
144 now incorporates bills led by Representatives Kuster, Eshoo,  
145 and Walberg, among others.

146 Then there is H.R. 3369, which directs the NTIA to  
147 assess the degree to which AI systems are accountable to  
148 consumers, and the measures needed to reduce the risks AI  
149 poses. Congress must consider these important issues as this  
150 new, but rapidly growing technology becomes more mainstream.

151 And third is H.R. 3385 that will require NTIA to assess  
152 the value of developing a transatlantic submarine fiber cable  
153 connecting the United States, the U.S. Virgin Islands, Ghana,



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154 and Nigeria to increase the security of our networks and  
155 protect them from untrusted actors.

156       Unfortunately, that is where the good ideas end. Today  
157 Republicans are also pushing through three highly partisan, I  
158 think, extreme and anti-EV bills, despite the fact that tens  
159 of millions of Americans are right now struggling with  
160 extreme heat made worse by climate change. In fact, earlier  
161 this month more than 100 million Americans were under  
162 excessive heat warnings and heat advisories. The climate  
163 crisis is here. And while Democrats are fighting it with  
164 investments to reduce pollution and grow our economy,  
165 Republicans are fighting to take away those investments and  
166 reverse our progress.

167       The transportation sector is a significant contributor  
168 of climate pollution, but thankfully, decades of ambitious  
169 clean vehicle standards have driven historic innovation,  
170 delivering cleaner air and better technologies, and  
171 positioning the U.S. as the global leader in cleaner  
172 transportation.

173       It has become clear that the Republican agenda is  
174 focused entirely on propping up big oil corporations. The

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175 bills on today's agenda are no different. They abandon home-  
176 grown American innovation and reverse hard-won climate  
177 progress, progress that Americans both need and deserve as we  
178 continue to face the record-breaking consequences of climate  
179 change.

180 H.R. 1435 would turn back over 50 years of recognizing  
181 California's authority to set more protective vehicle  
182 emissions standards. It infringes on the rights of states  
183 like my home state of New Jersey to voluntarily adopt those  
184 standards to protect people from dangerous air pollution.

185 Then there is H.R. 4468, which would outright bar EPA  
186 from finalizing its light and medium-duty vehicle emission  
187 standards for model year 2027. This bill also jeopardizes  
188 EPA's ability to finalize new vehicle emission standards,  
189 effectively preventing the agency from fulfilling its  
190 obligation to protect Americans from motor vehicle pollution.

191 And finally, there is H.R. 4469 that would hamper  
192 biofuel opportunities across the country.

193 All three of these bills prove that Republicans are  
194 willing to sacrifice Americans' right to clean air and a safe  
195 climate. They prove Republicans are willing to abandon

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196 American innovation and global leadership in order to support  
197 big corporations. And reversing our progress on clean  
198 transportation and doubling down on our fossil fuel  
199 dependance would make the United States weaker, in my  
200 opinion, not stronger.

201 We already have the technology and the ingenuity to be  
202 the global leader in clean transportation. These efforts  
203 will lower energy costs, protect public health, fight the  
204 climate crisis, and strengthen our economy. But these three  
205 Republican bills would abandon our position in favor of  
206 maintaining the status quo of putting polluters over people.  
207 And that is why I will oppose all three bills.

208 And with that, Madam Chair, I yield back. Thank you.

209 \*The Chair. The chair reminds members that, pursuant to  
210 committee rules, all committee members' opening statements  
211 will be made part of the record.

212 Are there further opening statements?

213 The chair recognizes Mr. Latta for five minutes.

214 \*Mr. Latta. Thank you, Madam Chair, and good morning.

215 Today we are considering several bipartisan pieces of  
216 legislation from the Subcommittee on Communications and

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217 Technology.

218 Over the last several months the subcommittee has worked  
219 to reauthorize for the first time in over 30 years the  
220 National Telecommunications and Information Administration,  
221 or NTIA. Our steadfast work will provide the agency with new  
222 tools and direction to carry out its 21st century mission in  
223 connecting unserved and underserved communities across  
224 America.

225 In May the subcommittee held an oversight hearing with  
226 NTIA administrator Alan Davidson to receive an update on his  
227 work and hear his perspective on draft legislation. That  
228 testimony informed the bipartisan bills we are considering  
229 today.

230 I am pleased to have introduced legislation with the  
231 gentlelady from California, the ranking member of the  
232 Communication and Technology Subcommittee, H.R. 4510, the  
233 NTIA Reauthorization Act, that would modernize NTIA's mission  
234 and codify several key offices within NTIA, including the  
235 Office of Spectrum Management, the Office of Public Safety  
236 and Communications, the Office of International Affairs, and  
237 the Institute for Telecommunications Sciences. It would also

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238 reinforce NTIA's role in cybersecurity policy by codifying  
239 and renaming the Office of Policy Development and  
240 Cybersecurity.

241 I want to thank my colleagues across the committee for  
242 their work on the important initiatives, including the  
243 legislation. With our work we will ensure that NTIA more  
244 effectively coordinates Federal broadband and manages Federal  
245 spectrum.

246 The committee also is considering H.R. 3369, the  
247 Artificial Intelligence and Accountability Act, which would  
248 direct NTIA to conduct a study on the accountability measures  
249 for AI systems used by communications networks, and H.R.  
250 3385, which will study the feasibility of a transatlantic  
251 submarine cable that would provide national security benefits  
252 to the United States.

253 And again, I want to thank the minority for working with  
254 us in a bipartisan fashion, and I look forward to advancing  
255 these bills to the House for full consideration.

256 And I yield back the balance of my time.

257 \*The Chair. Are there further opening statements? The  
258 chair recognizes Ms. Matsui for five minutes.

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259           \*Ms. Matsui. Thank you very much, Madam Chair.

260           As I said at the Communications and Technology  
261 Subcommittee markup, oversight of the NTIA is one of the most  
262 crucial functions of our subcommittee and this full  
263 committee. That role is more than just ensuring Federal  
264 funds are being used wisely; it means defending the agency's  
265 jurisdiction and supporting its statutory role as manager of  
266 the Federal Government's use of spectrum. This role has  
267 never been more important.

268           In the middle of a protracted lapse in the FCC's auction  
269 authority, and in the run-up to one of the most consequential  
270 world radio conferences in a generation, we need NTIA doing  
271 its job. With a bipartisan NTIA reauthorization act, we are  
272 providing new tools and authority to ensure the agency can  
273 fulfill its mission. That means elevating the NTIA  
274 administrator from assistant to under secretary, and  
275 modernizing the agency's mission to reflect the challenges of  
276 today and the opportunities of tomorrow.

277           I am also glad this bill includes my Spectrum  
278 Coexistence Act. This language will require NTIA to conduct  
279 a review of Federal receiver technology to support more

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280 intensive use of spectrum. The FCC released a set of  
281 receiver principles for commercial equipment, and it is  
282 important to do the same -- that we do the same for Federal  
283 tech. We can't afford to have outdated equipment on the  
284 commercial side or government side, preventing opportunities  
285 for more efficient uses of spectrum. As greenfield  
286 opportunities become fewer and further between, it is steps  
287 like this that would keep the spectrum pipeline strong.

288 This bill will also include the SMART Act Congressman  
289 Guthrie and I introduced to develop an incumbent informing  
290 capability. This would allow Federal users to share spectrum  
291 with commercial users by telling them when and where they are  
292 operating in real time. Taken together, this bill will be a  
293 powerful tool for a more concerted Federal approach to tech  
294 and telecom policy. I look forward to seeing it on the floor  
295 soon.

296 And while it is not on the agenda today, I know there is  
297 still bipartisan interest from leaders of the subcommittee  
298 and full committees to advance my Spectrum Relocation  
299 Enhancement Act as soon as possible. I appreciate that  
300 shared goal, and look forward to working with the majority to

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301 get it on the next full committee markup.

302 With that, I yield back the balance of my time.

303 \*The Chair. The gentlelady yields back. Are there  
304 further opening statements?

305 The chair recognizes Mr. Johnson for three minutes. I  
306 got that wrong on the other --

307 \*Mr. Johnson. Thank you, Chair Rodgers, for recognizing  
308 me at today's important markup. Three of the bills we are  
309 considering today were advanced by the Environment,  
310 Manufacturing, and Critical Materials Subcommittee to protect  
311 consumer choice and access to affordable, reliable, and  
312 secure vehicles and fuels.

313 We discussed in depth in multiple hearings, as well as  
314 our recent subcommittee markup, that the American people are  
315 concerned. But here we are, at the height of summer driving  
316 season, and the Biden Administration is attempting a litany  
317 of tactics to interfere with the American people's choice and  
318 mobility. Thankfully, Republicans on this committee are  
319 listening to the people's concerns.

320 Americans rely on their cars and trucks to commute to  
321 work, take their kids to school, check in on grandparents and



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322 loved ones, run to the grocery store, to the bank, to receive  
323 medical care, and many others. In my rural part of the  
324 country, in Appalachia, any number of these could be 30 or 40  
325 miles away. And it is well known that mobility is essential  
326 for the well-being and welfare of all Americans. But not  
327 just physical mobility, it is also economic mobility, upward  
328 mobility. People must be able to have the vehicles they  
329 choose and need to get the job done and provide for their  
330 families.

331       Unfortunately, the Biden Administration has issued  
332 regulation after regulation to force electric vehicles on the  
333 American people before either consumers or the grid are ready  
334 for it, not to mention they ignore the true global  
335 environmental impact of EVs, which is likely not as "green" as  
336 as proponents say. Luckily, Republicans have solutions to  
337 ensure that Americans can buy the cars they want at a price  
338 they can afford now and into the future.

339       First, H.R. 1435 would prevent the EPA from issuing  
340 California a waiver for vehicle emission standards if the  
341 state standards directly or indirectly limit the sale of new  
342 vehicles with internal combustion engines. This bill is

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343 timely because California recently submitted a waiver for its  
344 Advanced Clean Cars II proposal, which would require all new  
345 passenger vehicles to be zero emission vehicles by 2035. We  
346 can't let California force its disastrous policies on the  
347 rest of the country.

348       Next, H.R. 4468, the CARS Act, would prevent the EPA  
349 from implementing what we refer to as the tailpipe emissions  
350 rule, which would require two-thirds of new car sales to be  
351 electric by 2032. Cox Automotive estimates that there are  
352 90,000 battery electric vehicles sitting on dealership lots  
353 right now because American consumers don't want to buy them,  
354 this while automakers from Tesla and Ford slash prices and  
355 manipulate tax credits in an attempt to entice buyers. We  
356 aren't against the EVs, but such government mandates are not  
357 letting the free market play out. It is not sustainable.

358       And lastly, we have got H.R. 4469, which would clarify  
359 that the EPA is not authorized to create an eRINs program.

360       So with that I want to again be very clear that none of  
361 these bills prevent the Americans from purchasing EVs if it  
362 makes sense for them and they want them. But we must ensure  
363 that they do not have to live with the de facto government EV

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364 mandates if they prefer another type of vehicle.

365 I look forward to advancing this legislation on our  
366 agenda today, and I yield back.

367 \*The Chair. The gentleman yields back. The chair  
368 recognizes the ranking member of the subcommittee, Mr. Tonko,  
369 for three minutes for the purposes of an opening statement.

370 \*Mr. Tonko. Thank you, Madam Chair. I express my  
371 opposition to the three partisan bills that have been  
372 advanced by the Environment Subcommittee. These bills seek  
373 to deny Americans the public health and economic benefits of  
374 our nation's ongoing transition to cleaner, more innovative  
375 vehicle technologies.

376 H.R. 1435, the Preserving Choice in Vehicle Purchases  
377 Act, would restrict EPA from allowing California to set more  
378 protective vehicle emissions standards to address its  
379 extraordinary pollution challenges and cause uncertainty to  
380 the auto industry by revoking previously issued waivers.

381 H.R. 4468, the Choice in Automobile Retail Sales Act,  
382 would prejudice the outcome of EPA's ongoing tailpipe  
383 standards rulemaking process, and prohibit the agency from  
384 finalizing a rule that provides vastly greater benefits than

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385 costs. Ultimately, this bill will prevent EPA from carrying  
386 out its mission that is to protect human health and the  
387 environment.

388 And H.R. 4469, the No Fuel Credits for Batteries Act,  
389 prohibits the EPA from finalizing eRINs under the Renewable  
390 Fuels Standard program, which will limit and, in some cases,  
391 prevent wastewater plants, landfills, and farms that capture  
392 eligible biogas feedstocks from participating in the RFS.

393 These bills seek to create uncertainty for the private  
394 sector, disrupting the tens of billions of dollars of  
395 investments being made to develop and produce the next  
396 generation of clean vehicle technologies in the United  
397 States.

398 There is no doubt that there is an innovation revolution  
399 happening in the transportation sector right now. It is  
400 already creating jobs and reducing pollution, in large part  
401 due to the Infrastructure Investment and Jobs Act and the  
402 Inflation Reduction Act. Today we will hear that somehow  
403 this innovation-driven transition to clean vehicles plays  
404 into China's hands. But the reality is that the exact  
405 opposite is true.

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406 Failure to develop our own domestic supply chains and  
407 manufacturing capabilities will guarantee that foreign  
408 competitors win the race to become the global leader in  
409 manufacturing clean vehicles and their components. I believe  
410 in America. I believe in American workers and automakers and  
411 battery producers. We can continue to be that leader in  
412 automotive innovation. But winning this global race requires  
413 consumer trends, financial incentives, and, yes, regulatory  
414 policies to all pull in the same direction.

415 Unfortunately, the bills under consideration seek to  
416 upend this third leg of the innovation stool, which will  
417 undermine the rapidly growing domestic clean vehicle  
418 industry. So I urge members to reject the three Environment  
419 bills before us today, and work together to further the  
420 United States' efforts to lead the world in clean vehicles.

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

422 \*The Chair. The gentleman yields back. Are there  
423 further opening statements?

424 The chair calls up H.R. 3385, as amended by the  
425 Subcommittee on Communications and Technology, and asks the  
426 clerk to report.

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427           \*The Clerk. Committee print of H.R. 3385, a bill to  
428 direct the Assistant Secretary of Commerce for Communications  
429 and Information to submit to Congress a report containing an  
430 assessment of the value --

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

434           So ordered.

435           [The bill follows:]

436

437           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

438

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439           \*The Chair. Does anyone seek to be recognized on the  
440 bill?

441           \*Mr. Fulcher. Madam Chair?

442           \*The Chair. Who seeks recognition, and for what  
443 purpose?

444           Oh, Mr. Fulcher. For what purpose do you seek  
445 recognition?

446           \*Mr. Fulcher. Madam Chair, I have an amendment at the  
447 desk.

448           \*The Chair. The clerk will report.

449           \*The Clerk. Amendment in the nature of a substitute to  
450 the committee print of H.R. 3385, offered by Mr. Fulcher.

451           \*The Chair. Without objection, the reading of the  
452 amendment is dispensed with.

453           [The amendment of Mr. Fulcher follows:]

454

455           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

456

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

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

460           My amendment to revise H.R. 3385 to require the  
461 Secretary of Commerce to study the value, cost, and  
462 feasibility of running a transatlantic undersea fiber optic  
463 cable line from the U.S. Virgin Islands in the Caribbean to  
464 specific U.S. military commands in Africa. The previous  
465 version had NTIA conducting the study, but now it is NTIA and  
466 other agencies within the Commerce Department.

467           I want to thank my colleagues, Stacey Plaskett, for  
468 working with me on this improved AINS.

469           Undersea cables carry more than 95 percent of  
470 international data. This is due to their ability to provide  
471 high capacity, cost effective, and reliable data delivery to  
472 meet a variety of military and civilian needs. The key here  
473 is national security. We strengthen the movement of critical  
474 data between Africa Command and Special Forces Command to  
475 relevant military and civilian leaders in the U.S. It is a  
476 good improvement to the bill.

477           Besides counter-terrorism and other security concerns,



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478 the U.S. may benefit from trade and investment and countering  
479 China in the region. This amendment ensures the private  
480 sector has information from the Commerce study to evaluate  
481 whether to invest in such a project.

482 The final change was to strike the short title to the  
483 bill, reflecting the focus on national security and specific  
484 military commands in Africa.

485 Again, I thank Delegate Plaskett for working with me on  
486 this important issue. I urge passage of this amendment. I  
487 yield back.

488 \*The Chair. The gentleman yields back. The chair  
489 recognizes Ms. Clarke for five minutes in -- on the  
490 amendment.

491 \*Ms. Clarke. Madam Chair, I move to strike the last  
492 word.

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

494 \*Ms. Clarke. Thank you, Madam Chair.

495 This amendment makes technical changes to H.R. 3385, the  
496 Diaspora Link Act, specifically regarding the scope of the  
497 report of the bill.

498 Under this legislation the National Telecommunications

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499 and Information Administration is required to study the  
500 value, cost, and feasibility of a transatlantic submarine  
501 fiber optic cable connecting the United States to Ghana and  
502 Nigeria through a link in the U.S. Virgin Islands.

503 The study would also direct NTIA to report to Congress  
504 on the current state of telecommunications connecting the  
505 United States Virgin Islands and contiguous United States,  
506 including an assessment of the lifespan and security of  
507 telecommunication networks linking the two.

508 This legislation is a critical step to enhance American  
509 communications security and competitiveness around the world.  
510 In recent years, the United States and many allies have  
511 recognized the threat posed by untrusted Chinese  
512 telecommunications equipment to our national security.  
513 Thanks to the work of this committee and our colleagues, we  
514 have taken steps to remove suspect equipment from American  
515 communications networks to protect against attacks or  
516 sabotage by our adversaries. The assessment required in this  
517 bill is an important step to further that security, and  
518 ensure a critical global communications channel is protected  
519 from the prying eyes of our adversaries.

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520 I thank our colleagues, Representatives Plaskett and  
521 Fulcher, for their leadership of this effort.

522 This legislation is critical to enhancing U.S. national  
523 security and the security of communications between the  
524 United States and our African partners, and I look forward to  
525 reviewing the results of the NTIA's assessment.

526 I urge my colleagues to support this amendment in the  
527 nature of a substitute and underlying bill, and I yield back.

528 \*The Chair. The gentlelady yields back. Is there  
529 further discussion?

530 Seeing none, the vote occurs on H.R. 3385, as amended.

531 Oh, yes, on the AINS, yes. Okay, the vote occurs on the  
532 amendment in the nature of a substitute.

533 All those in favor, say aye.

534 Those opposed, nay.

535 The ayes have it. The amendment is adopted.

536 Are there further amendments?

537 No? Okay. The question now occurs on approving H.R.  
538 3385, as amended, and a roll call vote has been requested.  
539 The clerk will call the roll.

540 \*The Clerk. Burgess?

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541 [No response.]  
542 \*The Clerk. Latta?  
543 \*Mr. Latta. Aye.  
544 \*The Clerk. Latta votes aye.  
545 Guthrie?  
546 \*Mr. Guthrie. Aye.  
547 \*The Clerk. Guthrie votes aye.  
548 Griffith?  
549 \*Mr. Griffith. Aye.  
550 \*The Clerk. Griffith votes aye.  
551 Bilirakis?  
552 \*Mr. Bilirakis. Aye.  
553 \*The Clerk. Bilirakis votes aye.  
554 Johnson?  
555 \*Mr. Johnson. Aye.  
556 \*The Clerk. Johnson votes aye.  
557 Bucshon?  
558 \*Mr. Bucshon. Aye.  
559 \*The Clerk. Bucshon votes aye.  
560 Hudson?  
561 \*Mr. Hudson. Aye.

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562 \*The Clerk. Hudson votes aye.

563 Walberg?

564 \*Mr. Walberg. Aye.

565 \*The Clerk. Walberg votes aye.

566 Carter?

567 [No response.]

568 \*The Clerk. Duncan?

569 \*Mr. Duncan. Aye.

570 \*The Clerk. Duncan votes aye.

571 Palmer?

572 [No response.]

573 \*The Clerk. Dunn?

574 \*Mr. Dunn. Aye.

575 \*The Clerk. Dunn votes aye.

576 Curtis?

577 \*Mr. Curtis. Aye.

578 \*The Clerk. Curtis votes aye.

579 Lesko?

580 \*Mrs. Lesko. Aye.

581 \*The Clerk. Lesko votes aye.

582 Pence?

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583           \*Mr. Pence.   Aye.  
584           \*The Clerk.   Pence votes aye.  
585           Crenshaw?  
586           [No response.]  
587           \*The Clerk.   Joyce?  
588           \*Mr. Joyce.   Aye.  
589           \*The Clerk.   Joyce votes aye.  
590           Armstrong?  
591           \*Mr. Armstrong.   Yes.  
592           \*The Clerk.   Armstrong votes aye.  
593           Weber?  
594           \*Mr. Weber.   Aye.  
595           \*The Clerk.   Weber votes aye.  
596           Allen?  
597           \*Mr. Allen.   Aye.  
598           \*The Clerk.   Allen votes aye.  
599           Balderson?  
600           \*Mr. Balderson.   Aye.  
601           \*The Clerk.   Balderson votes aye.  
602           Fulcher?  
603           \*Mr. Fulcher.   Fulcher is aye.

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604           \*The Clerk. Fulcher votes aye.  
605           Pfluger?  
606           \*Mr. Pfluger. [Inaudible.]  
607           \*The Clerk. Pfluger votes aye.  
608           Harshbarger?  
609           \*Mrs. Harshbarger. [Inaudible.]  
610           \*The Clerk. Harshbarger votes aye.  
611           Miller-Meeks?  
612           [No response.]  
613           \*The Clerk. Cammack?  
614           \*Mrs. Cammack. Aye.  
615           \*The Clerk. Cammack votes aye.  
616           Oberholte?  
617           \*Mr. Oberholte. Aye.  
618           \*The Clerk. Oberholte votes aye.  
619           Pallone?  
620           \*Mr. Pallone. Aye.  
621           \*The Clerk. Pallone votes aye.  
622           Eshoo?  
623           \*Ms. Eshoo. Aye.  
624           \*The Clerk. Eshoo votes aye.

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625 DeGette?  
626 \*Ms. DeGette. Aye.  
627 \*The Clerk. DeGette votes aye.  
628 Schakowsky?  
629 [No response.]  
630 \*The Clerk. Matsui?  
631 \*Ms. Matsui. Aye.  
632 \*The Clerk. Matsui votes aye.  
633 Castor?  
634 [No response.]  
635 \*The Clerk. Sarbanes?  
636 [No response.]  
637 \*The Clerk. Tonko?  
638 \*Mr. Tonko. Aye.  
639 \*The Clerk. Tonko votes aye.  
640 Clarke?  
641 \*Ms. Clarke. Aye.  
642 \*The Clerk. Clarke votes aye.  
643 Cardenas?  
644 [No response.]  
645 \*The Clerk. Ruiz?



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646 [No response.]  
647 \*The Clerk. Peters?  
648 \*Mr. Peters. Aye.  
649 \*The Clerk. Peters votes aye.  
650 Dingell?  
651 [No response.]  
652 \*The Clerk. Veasey?  
653 [No response.]  
654 \*The Clerk. Kuster?  
655 \*Ms. Kuster. Aye.  
656 \*The Clerk. Kuster votes aye.  
657 Kelly?  
658 [No response.]  
659 \*The Clerk. Barragan?  
660 [No response.]  
661 \*The Clerk. Blunt Rochester?  
662 [No response.]  
663 \*The Clerk. Soto?  
664 \*Mr. Soto. Aye.  
665 \*The Clerk. Soto votes aye.  
666 Craig?

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667 [No response.]  
668 \*The Clerk. Schrier?  
669 [No response.]  
670 \*The Clerk. Trahan?  
671 [No response.]  
672 \*The Clerk. Fletcher?  
673 [No response.]  
674 \*The Clerk. Rodgers?  
675 \*The Chair. Aye.  
676 \*The Clerk. Rodgers votes aye.  
677 \*Mr. Cardenas. Cardenas, aye.  
678 \*The Clerk. Cardenas votes aye.  
679 \*The Chair. Madam Chair [sic], how is Mr. Palmer  
680 recorded?  
681 \*The Clerk. Hmm?  
682 \*The Chair. Mr. Palmer.  
683 \*The Clerk. Mr. Palmer is not recorded.  
684 \*Mr. Palmer. Aye.  
685 \*The Clerk. Palmer votes aye.  
686 \*The Chair. How is Mrs. Miller-Meeks recorded?  
687 \*The Clerk. Ms. Miller-Meeks is not recorded.

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688 \*Mrs. Miller-Meeks. [Inaudible.]  
689 \*The Clerk. Miller-Meeks votes aye.  
690 \*The Chair. How is Mrs. Fletcher recorded?  
691 \*The Clerk. Mrs. Fletcher is not recorded.  
692 \*Mrs. Fletcher. Fletcher votes aye.  
693 \*The Clerk. Fletcher votes aye.  
694 \*The Chair. How is Mr. Ruiz recorded?  
695 \*The Clerk. Mr. Ruiz is not recorded.  
696 \*Mr. Ruiz. Aye.  
697 \*The Clerk. Ruiz votes aye.  
698 \*Mr. Veasey. How is--  
699 \*Voice. Mr. Sarbanes.  
700 \*The Clerk. Mr. Veasey is not recorded.  
701 \*Mr. Veasey. Veasey is aye.  
702 \*The Clerk. Veasey votes aye.  
703 \*The Chair. How is Mr. Sarbanes recorded?  
704 \*The Clerk. Mr. Sarbanes is not recorded.  
705 \*Mr. Sarbanes. Aye.  
706 \*The Clerk. Sarbanes votes aye.  
707 \*The Chair. Madam Clerk, how is Ms. Craig recorded?  
708 \*The Clerk. Ms. Craig is not recorded.

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709 \*Ms. Craig. Ms. Craig votes aye.

710 \*The Clerk. Craig votes aye.

711 [Pause.]

712 \*The Chair. The clerk will report.

713 \*The Clerk. Chair Rodgers, on that vote we have 41 ayes  
714 and 0 nays.

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

716 The chair calls up H.R. 3369, as amended by the  
717 Subcommittee on Communications and Technology, and asks the  
718 clerk to report.

719 \*The Clerk. Committee print of H.R. 3369, a bill to  
720 direct the Assistant Secretary of Commerce for Communications  
721 and Information to conduct a study and hold public meetings  
722 with respect to artificial intelligence systems.

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

726 So ordered.

727 [The bill follows:]

728

729 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

730

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731           \*The Chair. Does anyone seek to be recognized on the  
732 bill?

733           [Pause.]

734           \*The Chair. Are there any amendments?

735           Mr. Obernolte.

736           \*Mr. Obernolte. Madam Chair, I have an amendment at the  
737 desk --

738           \*The Chair. The clerk will report.

739           \*Mr. Obernolte. -- in the nature of a substitute.

740           \*The Chair. The clerk will report.

741           \*The Clerk. Amendment in the nature of a substitute to  
742 the committee print of H.R. --

743           \*The Chair. Without objection, the reading of the  
744 amendment is dispensed with.

745           [The amendment of Mr. Obernolte follows:]

746

747           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

748

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

751           \*Mr. Obernolte. Well, thank you, Madam Chair. I am  
752 proud to be a bipartisan cosponsor of this bill.

753           Obviously, artificial intelligence is going to be of  
754 critical importance in developing human productivity and  
755 creativity over the next 20 years. But also, it comes with  
756 some substantial risks and concerns about safety.

757           Congress is in the process of thinking about what a  
758 regulatory framework for AI might look like, but along the  
759 way we have to determine how we are going to investigate AI,  
760 to investigate whether or not it is accountable, it is  
761 responsible, and it is safe for consumers. This is  
762 particularly true in spaces such as telecommunications, which  
763 is why this bill is so important. It directs the NTIA to  
764 conduct a study on the accountability of AI algorithms as  
765 respect our telecommunications systems to ensure that they  
766 are safe and that they don't create risks for American  
767 consumers.

768           In our subcommittee hearing we had a discussion about  
769 the fact that some of the language that we use when we talk

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770 about AI and how we would like AI to be -- words like  
771 trustworthy and responsible and human-centric -- those are  
772 emotional words. They are -- express values, but they don't  
773 have technical definitions. So this amendment in the nature  
774 of a substitute adds the definition of those words and the  
775 way that they relate to technical standards to the subject of  
776 the study that NTIA will create.

777 So I think that this is very worthy of support. This is  
778 a good first step in establishing these accountability  
779 measures for the use of AI in telecommunications, and I would  
780 respectfully request adoption of the AINS and your aye vote  
781 on the underlying bill.

782 I yield back.

783 \*Mr. Burgess. Will the gentleman yield?

784 \*Mr. Obernolte. Yes, sir, I yield.

785 \*Mr. Burgess. Now I want to thank Mr. Obernolte of  
786 California for bringing this amendment forward.

787 There is so much that so many of us don't understand in  
788 this space. Talking with doctors who practice radiology a  
789 few weeks ago, there are significant advances that are being  
790 made in the ability to read films and studies with a level of

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791 precision that was not possible previously so that even  
792 something as simple as a diagnostic mammogram may be over-  
793 read by an AI algorithm, which could detect problems that in  
794 fact might escape the human eye. So I think this is  
795 extremely important that we have the right parameters around  
796 it.

797 At the same time, it is extremely important that we do  
798 not delay the development of these types of interventions.  
799 So I just want to thank the gentleman who is probably, again,  
800 the most the most facile with this topic of anyone on this  
801 committee, and I really appreciate his participation in  
802 providing us the AINS, and I will be happy to vote for it and  
803 the underlying bill.

804 Thank you, Mr. Obernolte.

805 \*Mr. Obernolte. I thank the gentleman from Texas.  
806 Would anyone else like me to yield time?

807 Well, I would like to thank Congressman Harder for  
808 working with me on this bill, and again urge your support.

809 I yield back, Madam Chair.

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



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812 The chair recognizes Mrs. Trahan for --

813 \*Mrs. Trahan. I move to strike the last word.

814 \*The Chair. To strike the last word, five minutes.

815 \*Mrs. Trahan. Thank you, Madam Chair. I am proud that  
816 the committee is voting today on the AI Accountability Act,  
817 and I thank my colleagues, Representatives Obernolte and  
818 Harder, for their attention to this issue.

819 The unparalleled promise of artificial intelligence  
820 brings with it serious accountability questions for a simple  
821 reason. When an AI system makes a mistake or causes harm, it  
822 can be very difficult to identify exactly what went wrong.  
823 From the collection and curation of a data set to training  
824 and testing of a model to the implementation and oversight of  
825 that model when it is actually used, there are many steps in  
826 the AI development process that, if irresponsibly or  
827 improperly completed, can cause an AI system to discriminate  
828 against an individual, hallucinate false information, or  
829 simply make a mistake.

830 And as excited as we all are to develop and deploy AI to  
831 solve difficult problems, we must ensure that it is not only  
832 consumers and businesses who have access to the information

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833 they need to understand AI systems and hold them accountable,  
834 but also researchers. Independent researchers are the reason  
835 that we as policymakers and consumers have any insight at all  
836 into the workings of and the harms perpetuated by Big Tech  
837 and social media companies. The technologies that we have  
838 grown accustomed to already operate at such an individualized  
839 and personalized level that it has been difficult to hold  
840 these decisions accountable.

841         Independent research and the public interest provides  
842 the unbiased and expert insights that society needs to guide  
843 the responsible development of technology, and that is why I  
844 have introduced legislation like the Digital Services  
845 Oversight and Safety Act, which would create a system for  
846 qualified, independent researchers to safely and responsibly  
847 access data on social media companies and other tech  
848 platforms, and it is why I am thankful to the chair, the  
849 ranking member, and the sponsors of this bill for including a  
850 small but important change in the AINS to ensure that the  
851 bill considers what information should be available to the  
852 researchers who study AI systems.

853         I urge my colleagues to support this bipartisan

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854 legislation, and I hope that it is just the first step in our  
855 bipartisan efforts to responsibly develop and regulate this  
856 technology.

857 Thank you, I yield back.

858 \*The Chair. The gentlelady yields back. Is there  
859 further discussion on the amendment?

860 If there is no further discussion, the vote occurs on  
861 the amendment.

862 All those in favor, signify by saying aye.

863 Those opposed, nay.

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

865 The question now occurs on approving H.R. 3369, as  
866 amended. A roll call has been requested. The clerk will  
867 call the roll.

868 \*The Clerk. Burgess?

869 \*Mr. Burgess. Burgess votes aye.

870 \*The Clerk. Burgess votes aye.

871 Latta?

872 \*Mr. Latta. Aye.

873 \*The Clerk. Latta votes aye.

874 Guthrie?

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875           \*Mr. Guthrie. Aye.  
876           \*The Clerk. Guthrie votes aye.  
877           Griffith?  
878           \*Mr. Griffith. Aye.  
879           \*The Clerk. Griffith votes aye.  
880           Bilirakis?  
881           \*Mr. Bilirakis. Aye.  
882           \*The Clerk. Bilirakis votes aye.  
883           Johnson?  
884           \*Mr. Johnson. Aye.  
885           \*The Clerk. Johnson votes aye.  
886           Bucshon?  
887           \*Mr. Bucshon. Aye.  
888           \*The Clerk. Bucshon votes aye.  
889           Hudson?  
890           \*Mr. Hudson. Aye.  
891           \*The Clerk. Hudson votes aye.  
892           Walberg?  
893           \*Mr. Walberg. Aye.  
894           \*The Clerk. Walberg votes aye.  
895           Carter?

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896           \*Mr. Carter. Aye.  
897           \*The Clerk. Carter votes aye.  
898           Duncan?  
899           \*Mr. Duncan. Aye.  
900           \*The Clerk. Duncan votes aye.  
901           Palmer?  
902           [No response.]  
903           \*The Clerk. Dunn?  
904           \*Mr. Dunn. Aye.  
905           \*The Clerk. Dunn votes aye.  
906           Curtis?  
907           \*Mr. Curtis. Aye.  
908           \*The Clerk. Curtis votes aye.  
909           Lesko?  
910           \*Mrs. Lesko. Aye.  
911           \*The Clerk. Lesko votes aye.  
912           Pence?  
913           \*Mr. Pence. Aye.  
914           \*The Clerk. Pence votes aye.  
915           Crenshaw?  
916           [No response.]

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917           \*The Clerk. Joyce?

918           \*Mr. Joyce. Aye.

919           \*The Clerk. Joyce votes aye.

920           Armstrong?

921           \*Mr. Armstrong. Yes.

922           \*The Clerk. Armstrong votes aye.

923           Weber?

924           \*Mr. Weber. Aye.

925           \*The Clerk. Weber votes aye.

926           Allen?

927           \*Mr. Allen. Aye.

928           \*The Clerk. Allen votes aye.

929           Balderson?

930           \*Mr. Balderson. Aye.

931           \*The Clerk. Balderson votes aye.

932           Fulcher?

933           \*Mr. Fulcher. Fulcher is aye.

934           \*The Clerk. Fulcher votes aye.

935           Pfluger?

936           \*Mr. Pfluger. Aye.

937           \*The Clerk. Pfluger votes aye.

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938 Harshbarger?  
939 \*Mrs. Harshbarger. [Inaudible.]  
940 \*The Clerk. Harshbarger votes aye.  
941 Miller-Meeks?  
942 \*Mrs. Miller-Meeks. Aye.  
943 \*The Clerk. Miller-Meeks votes aye.  
944 Cammack?  
945 \*Mrs. Cammack. Aye.  
946 \*The Clerk. Cammack votes aye.  
947 Obernolte?  
948 \*Mr. Obernolte. Aye.  
949 \*The Clerk. Obernolte votes aye.  
950 Pallone?  
951 \*Mr. Pallone. Aye.  
952 \*The Clerk. Pallone votes aye.  
953 Eshoo?  
954 \*Ms. Eshoo. Aye.  
955 \*The Clerk. Eshoo votes aye.  
956 DeGette?  
957 \*Ms. DeGette. Aye.  
958 \*The Clerk. DeGette votes aye.

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959 Schakowsky?  
960 \*Ms. Schakowsky. Aye.  
961 \*The Clerk. Schakowsky votes aye.  
962 Matsui?  
963 \*Ms. Matsui. Aye.  
964 \*The Clerk. Matsui votes aye.  
965 Castor?  
966 \*Ms. Castor. Aye.  
967 \*The Clerk. Castor votes aye.  
968 Sarbanes?  
969 \*Mr. Sarbanes. Aye.  
970 \*The Clerk. Sarbanes votes aye.  
971 Tonko?  
972 \*Mr. Tonko. Aye.  
973 \*The Clerk. Tonko votes aye.  
974 Clarke?  
975 \*Ms. Clarke. Aye.  
976 \*The Clerk. Clarke votes aye.  
977 Cardenas?  
978 \*Mr. Cardenas. Aye.  
979 \*The Clerk. Cardenas votes aye.



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980 Ruiz?  
981 \*Mr. Ruiz. Aye.  
982 \*The Clerk. Ruiz votes aye.  
983 Peters?  
984 \*Mr. Peters. Aye.  
985 \*The Clerk. Peters votes aye.  
986 Dingell?  
987 \*Mrs. Dingell. Aye.  
988 \*The Clerk. Dingell votes aye.  
989 Veasey?  
990 \*Mr. Veasey. Aye.  
991 \*The Clerk. Veasey votes aye.  
992 Kuster?  
993 \*Ms. Kuster. Aye.  
994 \*The Clerk. Kuster votes aye.  
995 Kelly?  
996 \*Ms. Kelly. [Inaudible.]  
997 \*The Clerk. Kelly votes aye.  
998 Barragan?  
999 \*Ms. Barragan. Aye.  
1000 \*The Clerk. Barragan votes aye.

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1001 Blunt Rochester?  
1002 \*Ms. Blunt Rochester. Aye.  
1003 \*The Clerk. Blunt Rochester votes aye.  
1004 Soto?  
1005 \*Mr. Soto. Aye.  
1006 \*The Clerk. Soto votes aye.  
1007 Craig?  
1008 \*Ms. Craig. Aye.  
1009 \*The Clerk. Craig votes aye.  
1010 Schrier?  
1011 \*Ms. Schrier. Aye.  
1012 \*The Clerk. Schrier votes aye.  
1013 Trahan?  
1014 \*Mrs. Trahan. Aye.  
1015 \*The Clerk. Trahan votes aye.  
1016 Fletcher?  
1017 \*Mrs. Fletcher. Aye.  
1018 \*The Clerk. Fletcher votes aye.  
1019 Rodgers?  
1020 \*The Chair. Aye.  
1021 \*The Clerk. Rodgers votes aye.

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1022 [Pause.]

1023 \*The Chair. The clerk will report.

1024 \*The Clerk. Chair Rodgers, on that vote we have 50 ayes  
1025 and 0 nays.

1026 \*The Chair. The ayes have it, and the bill is adopted.

1027 The chair calls up H.R. 4510, and asks the clerk to  
1028 report.

1029 \*The Clerk. H.R. 4510, a bill to reauthorize the  
1030 National Telecommunications and Information Administration to  
1031 update the mission and --

1032 \*The Chair. Without objection, the first reading of the  
1033 bill is dispensed with. The bill will be open for amendment  
1034 at any point.

1035 So ordered.

1036 [The bill follows:]

1037

1038 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1039

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

1040           \*The Chair. Does anyone seek to be recognized on the  
1041 bill?

1042           For what purpose does the gentleman seek recognition?  
1043 Mr. Guthrie.

1044           \*Mr. Guthrie. Madam Chair, I move to strike the last  
1045 word.

1046           \*The Chair. You are recognized for five minutes.

1047           \*Mr. Guthrie. Thank you, Madam Chair. I would just  
1048 like to support -- voice my support for 4510, the NTIA  
1049 Reauthorization Act.

1050           I would like to thank Chairman Latta and Ranking Member  
1051 Matsui for including two of my bills in title 2 of the  
1052 package, specifically the SMART Spectrum Act, which would  
1053 require the National Telecommunications Information  
1054 Administration to establish an incumbent informing capability  
1055 system to improve spectrum management and facilitate spectrum  
1056 sharing between Federal entities, as well as sharing a  
1057 Federal spectrum between Federal and non-Federal users. My  
1058 other bill, the Novel Advanced Spectrum and Communications  
1059 Technology Network Promotion Act, would direct NTIA to  
1060 develop standard processes that will better inform Federal

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1061 Government spectrum and management decisions.

1062 As my colleagues on this subcommittee know, spectrum is  
1063 a valuable and increasingly scarce resource. And I believe  
1064 we need to do all we can to ensure spectrum users are as  
1065 efficient as possible. I encourage the support of this bill,  
1066 and I will yield time to someone or yield back.

1067 I will yield back.

1068 \*The Chair. The gentleman yields back. Is there  
1069 further discussion?

1070 The chair recognizes Ms. Matsui. For what purpose?

1071 \*Ms. Matsui. I have an amendment at the desk.

1072 \*The Chair. The clerk will report.

1073 [Pause.]

1074 \*Ms. Matsui. AINS 01.

1075 \*The Clerk. Amendment in the nature of a substitute to  
1076 H.R. 4510, offered by Ms. Matsui of California. Strike all  
1077 after the enacting clause, and insert the following. Section  
1078 1, short title, Table of Contents. Short title. This act  
1079 may be cited as the National Telecommunications and  
1080 Information Administration --

1081 \*Mr. Latta. [Presiding] Without objection, the reading

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1082 of the amendment is dispensed with.

1083 [The amendment of Ms. Matsui follows:]

1084

1085 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1086

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1087           \*The Chair. And the gentlelady is recognized for five  
1088 minutes support of her amendment.

1089           \*Ms. Matsui. Thank you, Mr. Chairman. I am offering  
1090 this amendment today to incorporate important feedback from  
1091 both the NTIA and the FCC.

1092           Maintaining the clear jurisdictional boundaries of the  
1093 two agencies while also encouraging deeper coordination is  
1094 important to keep our spectrum governance regime harmonized.  
1095 By reinforcing the traditional roles of the respective  
1096 agencies, we can maintain regulatory predictability and avoid  
1097 conflict. This amendment ensures consistency in  
1098 responsibilities, and provides needed flexibility for the  
1099 rapidly evolving telecommunications marketplace.

1100           I appreciate the bipartisan work that went into  
1101 developing this amendment, and know that it gives us a  
1102 stronger bill to report to the full House. I want to thank  
1103 Chairman Latta for his ongoing collaboration and cooperation  
1104 with this bill, and look forward to a vote on the House on  
1105 the floor soon.

1106           With that, I yield back the balance of my time.

1107           \*Mr. Latta. The gentlelady yields back. The gentleman

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1108 from Georgia seeks recognition.

1109 For what purpose?

1110 \*Mr. Carter. I move to strike the last word.

1111 \*Mr. Latta. The gentleman is recognized for five  
1112 minutes.

1113 \*Mr. Carter. Mr. Chairman, I rise in support of the  
1114 AINS, of H.R. 4510, the NTIA Reauthorization Act of 2023,  
1115 which is crucial to helping close the digital divide. This  
1116 Federal agency has not been reauthorized in over 30 years,  
1117 and these updates are necessary to keep up with the recent  
1118 advancements.

1119 H.R. 4510 also includes my bill, which codifies NTIA's  
1120 Institute for Telecommunication Sciences, or ITS. The ITS  
1121 provides NTIA with complex testing and analysis, which is  
1122 important for making spectrum policy decisions.  
1123 Strengthening the statutory authority of ITS is essential to  
1124 U.S. global competitiveness and innovation.

1125 I urge my colleagues to support this bipartisan  
1126 legislation to modernize NTIA, and I yield back.

1127 \*Mr. Latta. The gentleman yields back the balance of  
1128 his time. The gentleman from Florida seeks recognition.



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1129 Does the gentleman from Florida seek recognition?

1130 \*Mr. Soto. I move to strike the last word.

1131 \*Mr. Latta. The gentleman is recognized for five  
1132 minutes to strike the last word.

1133 \*Mr. Soto. Thank you, Chairman.

1134 You know, last Congress we worked with President Biden  
1135 on a bold vision to ensure high-speed Internet access for all  
1136 Americans, much like President Johnson many years earlier in  
1137 the 1960s sought to electrify the nation. We are now making  
1138 sure that Internet, which is essential for everything from  
1139 telehealth to small businesses to high-tech agriculture to  
1140 just a quality way of life in rural America, that they would  
1141 have access too. And so the infrastructure law passed with  
1142 \$65 billion for broadband investment, including 42 billion  
1143 for the Broadband Equity Access and Deployment Act, the BEAD  
1144 Act.

1145 And Mr. Chairman, I am excited. Florida just got \$1.17  
1146 billion to help with areas including rural areas in our  
1147 district. In addition to the American Rescue Plan, this  
1148 money is going to help with areas like East Orange County,  
1149 rural South Osceola. We already see areas like Kenansville,

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1150 Bull Creek, and Deer Park getting rural broadband finally to  
1151 them. And that is why making sure to reauthorize the  
1152 National Telecommunications and Information Administration is  
1153 critical, because they need to be ready to go to implement  
1154 this ambitious plan to close the digital divide, to modernize  
1155 their equipment, strengthen our networks against cyber  
1156 attacks, and improve public safety communications, especially  
1157 for a state like Florida, where we get a lot of hurricanes,  
1158 unfortunately.

1159 For that and more, I urge my colleagues to vote for this  
1160 great bill, and I yield back.

1161 \*Mr. Latta. The gentleman yields back. For what  
1162 purpose does the gentleman from California seek recognition?

1163 \*Mr. Obernolte. I move to strike the last word.

1164 \*Mr. Latta. The gentleman is recognized for five  
1165 minutes to strike the last word.

1166 \*Mr. Obernolte. Thank you, Mr. Chairman. I rise in  
1167 strong support of this bill and the AINS.

1168 This agency hasn't been reauthorized in over 30 years.  
1169 I am glad to see that Congress is doing the work that the  
1170 people sent us here to do in reauthorizing these agencies and

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1171 making some of the necessary changes that let us keep up with  
1172 technology.

1173 I would also like to thank the committee and yourself,  
1174 Mr. Chairman, for including my bill, H.R. 1360, the American  
1175 Cybersecurity Literacy Act, in the reauthorization.  
1176 Obviously, cybersecurity is something that is of growing  
1177 importance to the American public, and we have seen,  
1178 unfortunately, in recent months the consequences when  
1179 cybersecurity is ignored. Eighteen months ago we had a hack  
1180 of the Colonial pipeline that shut down and disrupted oil and  
1181 gasoline distribution to the entire east coast of the United  
1182 States.

1183 A lot of people don't know that that cybersecurity  
1184 breach was caused by the hack of a single employee password.  
1185 And unfortunately, Americans are dangerously lax in their  
1186 password discipline. That is illustrated by the fact that  
1187 currently it is reported that the number-one password in use  
1188 by Americans is the word "password," followed closely in  
1189 second place by the numbers "12345." So obviously, this is  
1190 something that, if we don't fix, is going to continue to  
1191 cause problems with our supply chains and our infrastructure,

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1192 and we certainly don't want something like the Colonial  
1193 pipeline hack to happen again.

1194 So my bill, the American Cybersecurity Literacy Act,  
1195 will direct NTIA to conduct an educational campaign on topics  
1196 like password discipline and cybersecurity to make sure that  
1197 some of these problems are fixed.

1198 I would like to thank you for including my bill in the  
1199 underlying bill. I urge support for the AINS and the  
1200 reauthorization, and I yield back.

1201 \*The Chair. [Presiding] The gentleman yields back. Is  
1202 there further discussion?

1203 The chair recognizes Mr. Johnson for five minutes.

1204 \*Mr. Johnson. I move to strike the last word.

1205 \*The Chair. The gentleman is recognized.

1206 \*Mr. Johnson. I strongly support H.R. 4510 to  
1207 reauthorize NTIA for the first time in over 30 years.

1208 As innovation in communications and technology, and  
1209 particularly broadband, has drastically evolved over the last  
1210 three decades, this bill will also modernize NTIA to better  
1211 reflect its current mission and provide it with the necessary  
1212 tools to complete it.

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1213 I am very pleased that title 6 of this bill includes the  
1214 amended text of my legislation, H.R. 4506, the Team Telecom  
1215 Act. This legislation would codify the Team Telecom  
1216 interagency review process that is used to review  
1217 applications with foreign ownership for which the FCC has  
1218 referred for national security and law enforcement  
1219 implications in a timely and transparent manner. It builds  
1220 on the policy coordination role of NTIA with communicating  
1221 executive branch views with the FCC, and also tasks NTIA to  
1222 develop an issue procedures for these reviews.

1223 As we see foreign countries such as China and Russia  
1224 continually try to undermine America's telecommunications  
1225 market, we must provide the FCC with all the tools they need  
1226 to keep our telecom industry safe from harmful manipulation.  
1227 And codifying this interagency review process at NTIA will do  
1228 just that.

1229 So I urge all my colleagues to support this important  
1230 reauthorization bill, and I yield back.

1231 \*Mr. Latta. [Presiding] Thank you much very much. The  
1232 gentleman yields back. The chair now recognizes the  
1233 gentlelady from California's 16th district.

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1234 \*Ms. Eshoo. Very good, Mr. Chairman.

1235 \*The Chair. Would you like to strike the last word?

1236 \*Ms. Eshoo. Thank you, Mr. Chairman.

1237 \*Mr. Latta. Five minutes.

1238 \*Ms. Eshoo. I move to strike the last word. I will be  
1239 brief. It is really a puzzle to me as to why NTIA has not  
1240 been reauthorized for so many decades, not just a handful of  
1241 years, but decades. But here we are. And thank you, Madam  
1242 Chairman, for taking this up.

1243 This is a relatively small agency in the Commerce  
1244 Department, but it is limber and does, I think, extraordinary  
1245 work. We made a really once-in-a-generation investment in  
1246 the infrastructure bill, and it is -- that investment is in  
1247 broadband. We know that it is part of our nation's  
1248 infrastructure just the way electricity was at a different  
1249 time in the life of America.

1250 No one can function without broadband. Not a business,  
1251 not a family, not an individual, not a student. Go on and  
1252 on. This is -- it is ubiquitous. But we know that there are  
1253 too many Americans, some 24 million Americans, that are  
1254 either underserved or not served at all. This is an

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1255 enterprise to democratize that so that everyone, everyone has  
1256 an opportunity in America because they have this.

1257         So I am so pleased that we are doing this, and I am  
1258 grateful to Mr. Obernolte for being the co-lead on the bill  
1259 that he just spoke to, and also Representative Cammack for  
1260 her co-leading of the other bill, Understanding Cybersecurity  
1261 of Mobile Networks Act that we have done together.

1262         So thank you, Madam Chairwoman, and to all of the  
1263 members that have contributed to this undertaking today.  
1264 This is -- in this particular area, I think this is more than  
1265 important work.

1266         So with that, I yield back.

1267         \*Mr. Latta. Thank you very much. The gentlelady yields  
1268 back and the chair now recognizes the gentleman from Ohio to  
1269 strike the last word for five minutes.

1270         \*Mr. Balderson. Thank you, Mr. Chairman, and thank you  
1271 for bringing this legislation before the committee today.

1272         The NTIA is a crucial part of the Department of  
1273 Commerce. The agency manages Federal spectrum and is  
1274 responsible for distributing tens of billions of dollars to  
1275 states for broadband buildout. If you use a cell phone, have

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1276 WiFi in your home, or use any sort of wireless technology,  
1277 how we manage our nation's spectrum directly impacts you.  
1278 The NTIA has not been reauthorized in 30 years, despite the  
1279 fact that these technologies and the use of spectrum is used  
1280 -- has evolved rapidly during the time.

1281         This reauthorization also includes the Spectrum  
1282 Coordination Act, which I introduced with my colleague,  
1283 Representative Kuster. This language ensures the NTIA and  
1284 the FCC are on the same page when it comes to spectrum  
1285 actions. The language requires those agencies to update  
1286 their MOU on spectrum coordination every four years, and  
1287 provides much-needed transparency for the agencies and the  
1288 American public. Strong coordination between these two  
1289 agencies will ensure that we are using our nation's valuable  
1290 spectrum in efficient and innovative ways, while also  
1291 protecting existing users.

1292         I urge my colleagues to support this legislation, and I  
1293 yield back, Mr. Chairman.

1294         \*Mr. Latta. Thank you very much. The gentleman yields  
1295 back the balance of his time. Is there any further  
1296 discussion on the AINS?



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1297           Hearing none, if there is no further discussion, the  
1298 vote occurs on the AINS.

1299           All those in favor, signify by saying aye.

1300           All opposed, nay.

1301           The ayes have it. Is there further discussion?

1302           Hearing none -- oh, does the gentleman from Texas wish  
1303 to be recognized?

1304           Thank you. Any other further discussion?

1305           Hearing none, the -- I assume you want the yeas and  
1306 nays.

1307           Okay, there will be a roll call vote, and the clerk will  
1308 call the roll.

1309           \*The Clerk. Burgess?

1310           \*Mr. Burgess. Burgess votes aye.

1311           \*The Clerk. Burgess votes aye.

1312           Latta?

1313           \*Mr. Latta. Aye.

1314           \*The Clerk. Latta votes aye.

1315           Guthrie?

1316           \*Mr. Guthrie. Aye.

1317           \*The Clerk. Guthrie votes aye.

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1318 Griffith?  
1319 \*Mr. Griffith. Aye.  
1320 \*The Clerk. Griffith votes aye.  
1321 Bilirakis?  
1322 [No response.]  
1323 \*The Clerk. Bilirakis?  
1324 \*Mr. Bilirakis. Aye.  
1325 \*The Clerk. Bilirakis votes aye.  
1326 Johnson?  
1327 \*Mr. Johnson. Aye.  
1328 \*The Clerk. Johnson votes aye.  
1329 Bucshon?  
1330 \*Mr. Bucshon. Aye.  
1331 \*The Clerk. Bucshon votes aye.  
1332 Hudson?  
1333 \*Mr. Hudson. Aye.  
1334 \*The Clerk. Hudson votes aye.  
1335 Walberg?  
1336 \*Mr. Walberg. Aye.  
1337 \*The Clerk. Walberg votes aye.  
1338 Carter?

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1339 [No response.]  
1340 \*The Clerk. Duncan?  
1341 \*Mr. Duncan. Duncan, aye.  
1342 \*The Clerk. Duncan votes aye.  
1343 Palmer?  
1344 [No response.]  
1345 \*The Clerk. Dunn?  
1346 \*Mr. Dunn. Aye.  
1347 \*The Clerk. Dunn votes aye.  
1348 Curtis?  
1349 \*Mr. Curtis. Aye.  
1350 \*The Clerk. Curtis votes aye.  
1351 Lesko?  
1352 \*Mrs. Lesko. Aye.  
1353 \*The Clerk. Lesko votes aye.  
1354 Pence?  
1355 \*Mr. Pence. Aye.  
1356 \*The Clerk. Pence votes aye.  
1357 Crenshaw?  
1358 [No response.]  
1359 \*The Clerk. Joyce?

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1360           \*Mr. Joyce.   Aye.  
1361           \*The Clerk.   Joyce votes aye.  
1362           Armstrong?  
1363           \*Mr. Armstrong.   Yes.  
1364           \*The Clerk.   Armstrong votes aye.  
1365           Weber?  
1366           \*Mr. Weber.   Yes.  
1367           \*The Clerk.   Weber votes aye.  
1368           Allen?  
1369           \*Mr. Allen.   Aye.  
1370           \*The Clerk.   Allen votes aye.  
1371           Balderson?  
1372           \*Mr. Balderson.   [Inaudible.]  
1373           \*The Clerk.   Balderson votes aye.  
1374           Fulcher?  
1375           \*Mr. Fulcher.   Aye.  
1376           \*The Clerk.   Fulcher votes aye.  
1377           Pfluger?  
1378           \*Mr. Pfluger.   Aye.  
1379           \*The Clerk.   Pfluger votes aye.  
1380           Harshbarger?

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1381 \*Mrs. Harshbarger. [Inaudible.]  
1382 \*The Clerk. Harshbarger votes aye.  
1383 Miller-Meeks?  
1384 \*Mrs. Miller-Meeks. [Inaudible.]  
1385 \*The Clerk. Miller-Meeks votes aye.  
1386 Cammack?  
1387 [No response.]  
1388 \*The Clerk. Obernolte?  
1389 [No response.]  
1390 \*The Clerk. Pallone?  
1391 \*Mr. Pallone. Aye.  
1392 \*The Clerk. Pallone votes aye.  
1393 Eshoo?  
1394 \*Ms. Eshoo. Aye.  
1395 \*The Clerk. Eshoo votes aye.  
1396 DeGette?  
1397 \*Ms. DeGette. Aye.  
1398 \*The Clerk. DeGette votes aye.  
1399 Schakowsky?  
1400 \*Ms. Schakowsky. Aye.  
1401 \*The Clerk. Schakowsky votes aye.

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1402 Matsui?

1403 \*Ms. Matsui. Aye.

1404 \*The Clerk. Matsui votes aye.

1405 Castor?

1406 \*Ms. Castor. Aye.

1407 \*The Clerk. Castor votes aye.

1408 Sarbanes?

1409 \*Mr. Sarbanes. Aye.

1410 \*The Clerk. Sarbanes votes aye.

1411 Tonko?

1412 \*Mr. Tonko. Aye.

1413 \*The Clerk. Tonko votes aye.

1414 Clarke?

1415 \*Ms. Clarke. Aye.

1416 \*The Clerk. Clarke votes aye.

1417 Cardenas?

1418 \*Mr. Cardenas. Aye.

1419 \*The Clerk. Cardenas votes aye.

1420 Ruiz?

1421 \*Mr. Ruiz. Aye.

1422 \*The Clerk. Ruiz votes aye.

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1423 Peters?  
1424 \*Mr. Peters. Aye.  
1425 \*The Clerk. Peters votes aye.  
1426 Dingell?  
1427 \*Mrs. Dingell. Aye.  
1428 \*The Clerk. Dingell votes aye.  
1429 Veasey?  
1430 \*Mr. Veasey. Aye.  
1431 \*The Clerk. Veasey votes aye.  
1432 Kuster?  
1433 \*Ms. Kuster. Aye.  
1434 \*The Clerk. Kuster votes aye.  
1435 Kelly?  
1436 \*Ms. Kelly. Aye.  
1437 \*The Clerk. Kelly votes aye.  
1438 Barragan?  
1439 \*Ms. Barragan. Aye.  
1440 \*The Clerk. Barragan votes aye.  
1441 Blunt Rochester?  
1442 \*Ms. Blunt Rochester. Aye.  
1443 \*The Clerk. Blunt Rochester votes aye.

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1444 Soto?

1445 \*Mr. Soto. Aye.

1446 \*The Clerk. Soto votes aye.

1447 Craig?

1448 \*Ms. Craig. Aye.

1449 \*The Clerk. Craig votes aye.

1450 Schrier?

1451 \*Ms. Schrier. Aye.

1452 \*The Clerk. Schrier votes aye.

1453 Trahan?

1454 \*Mrs. Trahan. Aye.

1455 \*The Clerk. Trahan votes aye.

1456 Fletcher?

1457 \*Mrs. Fletcher. Aye.

1458 \*The Clerk. Fletcher votes aye.

1459 Rodgers?

1460 \*The Chair. [Presiding] Aye.

1461 \*The Clerk. Rodgers votes aye.

1462 [Pause.]

1463 \*The Chair. How is Mr. Palmer recorded?

1464 \*The Clerk. Mr. Palmer is not recorded.



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1465           \*Mr. Palmer. Aye.

1466           \*The Clerk. Palmer votes aye.

1467           [Pause.]

1468           \*The Chair. The clerk will report.

1469           \*The Clerk. Chair Rodgers, on that vote we have 48 ayes  
1470 and 0 nays.

1471           \*The Chair. The ayes have it, and the bill is adopted.

1472           The chair calls up H.R. 1435, and asks the clerk to  
1473 report.

1474           \*The Clerk. H.R. 1435, a bill to amend the Clean Air  
1475 Act to prevent the elimination of the sale of internal  
1476 combustion engines.

1477           \*The Chair. Without objection, the first reading of the  
1478 bill is dispensed with. The bill will be open for amendment  
1479 at any point.

1480           So ordered.

1481           [The bill follows:]

1482

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

1484

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1485           \*The Chair. Does anyone seek to be recognized on the  
1486 bill?

1487           Mr. Latta, for what purpose does the gentleman seek  
1488 recognition?

1489           \*Mr. Latta. Well, thank you, Madam Chair, to strike the  
1490 last word.

1491           \*The Chair. You are recognized for five minutes.

1492           \*Mr. Latta. Thank you, Madam Chair. I want to speak in  
1493 favor of preserving Choice in Vehicle Purchases Act, which is  
1494 legislation I am leading with the gentlemen from  
1495 Pennsylvania's 13th district, Florida's 12th district, and  
1496 California's 23rd district.

1497           Last year, when California Air Resources Board announced  
1498 its plan to implement new requirements that would ban the  
1499 sale of new internal combustion engine vehicles in the state,  
1500 the board was essentially moving to impose their policy  
1501 decision on the rest of the country. This is due to the fact  
1502 that at least 17 other states are bound to follow  
1503 California's Clean Air Act standards. Taken together, these  
1504 states constitute 40 percent of the entire nation's new car  
1505 sales. No industry would continue to spend resources to

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1506 manufacture and sell products they would be restricted from  
1507 accessing 40 percent of the market. This truly makes this a  
1508 national issue.

1509 In addition to concerns that California is dictating to  
1510 the rest of the country that -- vehicles Americans can  
1511 purchase, I am deeply concerned with how a de facto ban on  
1512 the sale of internal combustion engine vehicles will impact  
1513 grid reliability, and what it would mean for our energy  
1514 needs.

1515 If the goal of California's Air Resources Board and the  
1516 U.S. EPA is to pursue an all-electric vehicle fleet on our  
1517 roadways, then we are going to have to generate higher  
1518 amounts of electricity.

1519 We examined this bill in a legislative hearing earlier  
1520 this summer. EPA indicated that going to an all-EV fleet  
1521 would mean that the United States would only have to generate  
1522 four percent more electricity to meet charging demands.  
1523 However, when the Energy Information Administration looked at  
1524 this question in 2019, they indicated that the U.S. would  
1525 need to generate at least 20 to 50 percent more electricity  
1526 to meet the needs of an all-EV fleet.

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1527           It would behoove policymakers, both at the state and  
1528 Federal levels, to make sure they have their numbers  
1529 straight, and understand what is reasonably possible to  
1530 accomplish on the power generation front before mandating  
1531 these types of policies that are based on ideological  
1532 desires.

1533           To build on the electricity generation question, the  
1534 officials pushing an all-EV fleet are also part of the same  
1535 group that want to transition to using only renewable energy,  
1536 which is intermittent power. This will undermine the  
1537 reliability of our electric grid, especially if there is a  
1538 high demand from consumers to charge their government-  
1539 mandated vehicles, but not enough generated electricity to  
1540 power those vehicles.

1541           We need to pass H.R. 1435 to ensure all Americans  
1542 maintain their ability to choose what vehicles they want to  
1543 drive, to keep energy prices low for struggling families, and  
1544 avoid straining the critical infrastructure like our electric  
1545 grid.

1546           Madam Chair, again, I thank you for yielding to me, and  
1547 I yield back the balance of my time.

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1548           \*The Chair. The gentleman yields back. Is there  
1549 further discussion?

1550           The chair recognizes the ranking member, Mr. Pallone,  
1551 for five minutes.

1552           \*Mr. Pallone. Thank you, Madam Chair.

1553           H.R. 1435, in my opinion, is a short-sighted,  
1554 politically-motivated bill that would disregard decades of  
1555 legal precedent, upend the Clean Air Act's California waiver  
1556 process, and imperil technological advancement in the  
1557 transportation sector. Instead of joining Democrats and  
1558 addressing dangerous air pollution, strengthening our  
1559 domestic vehicle manufacturing supply chains, and driving  
1560 innovation, House Republicans are sticking to their usual  
1561 polluters over people agenda.

1562           Many states, including my home state of New Jersey,  
1563 voluntarily adopted California's stronger vehicle emission  
1564 standards. This flexibility, built into the Clean Air Act,  
1565 allows states to make regulatory decisions that work for  
1566 them. And all that is to say this bill would endanger the  
1567 rights of every state, not just California, to control air  
1568 pollution from the transportation sector.

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1569           The bill's abrupt and extreme reversal of longstanding  
1570 vehicle policy would also create substantial disruption in  
1571 the U.S. vehicle market, and put us at a global competitive  
1572 disadvantage. At a time when we need to be doing everything  
1573 we can to grow our clean energy economy to compete with  
1574 China, we should be focusing on supporting innovation driving  
1575 policies in the transportation sector, not tearing them down.

1576           This bill only helps my Republican colleagues' corporate  
1577 polluter friends at the expense of public health,  
1578 technological innovation, states' rights, and a stronger,  
1579 cleaner economy. And for these reasons I urge my colleagues  
1580 to vote no on H.R. 1435.

1581           And I yield back, Madam Chair.

1582           \*The Chair. The gentleman yields back.

1583           \*Mr. Pallone. Oh, maybe the --

1584           \*The Chair. Oh?

1585           \*Mr. Pallone. Mr. Cardenas would like me to yield to  
1586 him. I yield to the gentleman from California.

1587           \*Mr. Cardenas. Thank you for yielding. I move to  
1588 strike -- H.R. 1435, the Preserving Choice in Vehicle  
1589 Purchases Act, introduced by my colleague from Pennsylvania.

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1590 I have talked at length about the work we need to do to  
1591 address the climate crisis, and my home state of California  
1592 has shown what a meaningful climate response can look like.  
1593 But my Republican colleagues seem dead set on undermining our  
1594 ability to moving toward a cleaner energy future for  
1595 everyone.

1596 Simply put, this bill would reverse the strides  
1597 California has made to improve air quality. Unlike my  
1598 colleague who introduced this bill, I was born and raised in  
1599 Pacoima, Los Angeles, California. As a child in the 1960s  
1600 and 1970s, I remember not being allowed to have a choice to  
1601 play outside because of smog alerts. You see, California has  
1602 historically had significantly quality -- air quality  
1603 challenges. And luckily, the state lawmakers responded.  
1604 Since the 1960s California has regulated air pollution from  
1605 the transportation sector, which is the leading source of  
1606 ozone-forming emissions.

1607 When the U.S. Congress drafted the Clean Air Quality  
1608 Act, lawmakers allowed California the authority to set more  
1609 protective vehicle emission standards than those set by the  
1610 Federal EPA to accommodate my state's ongoing work to address

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1611 pollution. This has allowed California to continue to cut  
1612 emissions, protect air quality, and drive innovation,  
1613 including production of cleaner fuels and low and zero-  
1614 emission cars and trucks. As a result, California leadership  
1615 have -- some cars today are 99 percent cleaner than in the  
1616 1970s. I will repeat: 99 percent cleaner car technology due  
1617 to, largely, the California -- what California instituted.

1618         As a result, we also have cleaner air, which not only  
1619 means fewer days missed from school and work due to  
1620 respiratory diseases, but also it means that, unlike when I  
1621 was a child, my children never had to learn about a smog  
1622 alert. And my hope is that now -- and that my grandchildren,  
1623 they also never have to learn about smog alerts. I want my  
1624 grandchildren to be able to play outside. I do not want my  
1625 grandchildren to be denied the choice to play outside.

1626         Unfortunately, today's bill reverses California's  
1627 authority to enact clean air programs, and attacks the  
1628 ability of other states to adopt these standards. H.R. 1435  
1629 overlooks 50 years of lifesaving innovation and leadership,  
1630 and erases decades of clean air progress. It cuts us off at  
1631 the knees, our efforts to combat the climate crisis, and



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1632 condemns Californians and all Americans, starting with low-  
1633 income, hard-working people, to that air quality, the  
1634 breathable air that we all deserve to have.

1635 I remember how much it hurt to breathe during a bad,  
1636 smoggy day when I was growing up. Now I don't have that  
1637 feeling. I don't want any person or any generation of people  
1638 to have to go through what some of us had to go through.

1639 I urge my colleagues to vote no on H.R. 1435. Thank  
1640 you.

1641 \*Mr. Pallone. And I yield back.

1642 \*The Chair. The gentleman yields back. Is there  
1643 further discussion?

1644 The chair recognizes Mr. Bilirakis.

1645 \*Mr. Bilirakis. Thank you, Madam Chair. I move to  
1646 strike the last word.

1647 \*The Chair. You are recognized for five minutes.

1648 \*Mr. Bilirakis. Thank you. Chair Rodgers, thank you  
1649 again for holding this full committee markup on these very  
1650 important bills.

1651 We have seen coordinated and wide-ranging attacks by the  
1652 Biden Administration on products, infrastructure, and now

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1653 vehicles that Americans rely on every day. These attacks are  
1654 in pursuit of a radical green agenda that is disconnected  
1655 from reality, it really is, and will only result in  
1656 decreasing consumer choice and unnecessarily raising costs  
1657 for Americans.

1658 I would like to speak now to bill 1435, the Preserving  
1659 Choice in Vehicle Purchases Act, the one that we are  
1660 discussing right now. I co-lead this, and the main sponsor  
1661 is Mr. Joyce. I commend him for that. And of course,  
1662 Representative Latta and Representative Obernolte.

1663 This bill would prevent the collaboration between  
1664 California and the EPA to ban the sale of new internal  
1665 combustion engines in California by 2035. While this might  
1666 look -- on the surface it seems like a states' rights issue.  
1667 However, 17 other states are bound to follow California's  
1668 regulations, which would put 40 percent of the entire  
1669 nation's new car sales under this onerous ban. This would  
1670 have far-reaching national effects, since auto manufacturers  
1671 would be forced to adjust their manufacturing plans to comply  
1672 with California's ban, not only indirectly forcing EV  
1673 vehicles onto consumers outside those 17 other states, but

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1674 also causing major disruptions in many other adjacent  
1675 industries across the nation.

1676         While there are some Americans -- some Americans might  
1677 prefer EV vehicles, there is nothing wrong with that, we are  
1678 all about choice -- there are many others, however, more  
1679 Americans, that don't feel EV vehicles are best suited to  
1680 fulfill their unique transportation needs, whether that be  
1681 because EVs don't offer the range or reliability needed, the  
1682 consumer lives in a rural -- if they live in a rural area,  
1683 the consumer, without easy access to public chargers, well,  
1684 they may not want an EV. The EV's performance may not hold  
1685 up in hot or cold climates, or simply the consumers prefer a  
1686 non-EV.

1687         Consumer data is clear that American consumers prefer  
1688 gas-powered cars over EVs. According to Cox Automotive,  
1689 90,000 EVs are sitting on dealership car lots, a rate twice  
1690 that of gas-powered cars. We have to look at the facts,  
1691 folks.

1692         The California rule would also ban hybrid vehicles,  
1693 ignoring the environmental benefits and choice these cars  
1694 offer to consumers. In fact, these vehicles are in such high

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1695 demand that they have a lower daily supply than both regular  
1696 gas-powered vehicles and EVs.

1697         Perhaps one of the biggest issues with the California  
1698 rule would be that it would force Americans to purchase  
1699 vehicles they simply cannot afford. The Kelley Blue Book  
1700 notes that EVs cost 17,000 more than gas-powered cars, on  
1701 average. I mean, again, goodness, 17,000 in itself is what  
1702 many Americans currently pay for a new car, at least in my  
1703 district. In fact, according to Car and Driver, there are no  
1704 new EVs in the 16,000 to 20,000 price range. There are,  
1705 however, 10 gas-powered models in that range.

1706         This California rule, if granted the EPA waiver, will  
1707 place car ownership out of the reach of many Americans who  
1708 would otherwise be wholly dependent on those affordable  
1709 options to work and live.

1710         Finally, it is hard to imagine that this rule would  
1711 indirectly result in increased costs for many constituents  
1712 seeking to purchase a new vehicle. Again, yesterday in my  
1713 hearing I talked about affordability. You don't have access  
1714 if you can't afford the vehicle.

1715         Currently, auto manufacturers face significant losses

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1716 with their EV divisions, and rely on the profits from their  
1717 gas-powered sales to maintain profitability.

1718         Okay, I am out of time, and I appreciate the extra time,  
1719 Madam Chair. I will yield back.

1720         \*The Chair. The gentleman yields back. Is there  
1721 further discussion?

1722         The chair recognizes Ms. Eshoo.

1723         \*Ms. Eshoo. Thank you, Madam Chairwoman. I move to  
1724 strike the last word.

1725         \*The Chair. You are recognized for five minutes.

1726         \*Ms. Eshoo. Thank you.

1727         My Republican colleagues claim that today's bill is  
1728 about preserving choice, but I think it is really an attack  
1729 on electric vehicles. In fact, I think it is more than  
1730 obvious. And evidently, the future is menacing.

1731         Because of our geography and large population,  
1732 California has historically faced some of the worst air  
1733 pollution in the country. We were the first state to  
1734 regulate tailpipe emissions, leading the way for the Clean  
1735 Air Act at the Federal level. And that is why the Clean Air  
1736 Act recognized California's leadership in protecting the

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1737 health of our residents by allowing the EPA to grant  
1738 California waivers to establish its own stronger emission  
1739 standards under presidents of both parties. Hear that, my  
1740 Republican colleagues? Under presidents of both parties, the  
1741 EPA has approved numerous waivers over more than 50 years.

1742         Seventeen states have voluntarily -- no one has forced  
1743 them -- voluntarily adopted California's standards, meaning  
1744 today's bill is an attack on states' rights, as well.

1745         H.R. 1435 prohibits the EPA from allowing California to  
1746 issue any standards that directly or indirectly limit the  
1747 sale or use of gas-powered cars. That is an incredibly vague  
1748 and sweeping standard that seems intended to tie the hands of  
1749 the EPA and prevent California from addressing the number-one  
1750 source of air pollution.

1751         It is true that sales of electric vehicles are  
1752 increasing, but it is not because of government mandates or --  
1753 -- from either the EPA or California. It is because more and  
1754 more consumers are choosing -- choice, the word that you are  
1755 using -- choosing EVs because they are increasingly  
1756 affordable and they meet their driving needs.

1757         Automakers have responded to consumer demand by

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1758 announcing \$210 billion -- with a B -- in investments in EV  
1759 manufacturing in the U.S. over the next 7 years.

1760         The argument that promoting cleaner vehicles means  
1761 ceding our leadership in the auto industry to China just does  
1762 not match the facts. It is ironic that Republicans have  
1763 framed their support for this bill around the idea of choice,  
1764 when their legislation requires EPA to prop up a specific  
1765 technology, one that consumers are increasingly turning away  
1766 from.

1767         My constituents are already facing the impacts of  
1768 climate change in the form of wildfires, extreme heat, and  
1769 sea level rise. Californians are not attracted to coddling  
1770 the fossil fuel industry. They recognize the existential  
1771 threat to our country and our planet, and they have chosen to  
1772 take action. California has done more than any state in the  
1773 union to address climate change, including requiring all new  
1774 vehicles sold by -- be electric by 2035.

1775         Welcome to the future. These regulations are critical  
1776 to meeting our state's climate goals because the  
1777 transportation sector is not only the largest source of air  
1778 pollution, but it also accounts for nearly one-third of our

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1779 nation's carbon emissions.

1780           With that, I would like to yield the balance of my time  
1781 to my colleague from California.

1782           \*Mr. Peters. Thank you. I just certainly endorse the  
1783 words of my colleagues, Ms. Eshoo and Mr. Cardenas, who spoke  
1784 very well about California's leadership in this.

1785           I would just also note that, you know, California had  
1786 drafted tailpipe emission standards in 1966 under the  
1787 leadership of Governor Ronald Reagan, who insisted on this  
1788 waiver at the time because he was worried that the Federal  
1789 Government would be lax on air pollution. The waiver has led  
1790 to tremendous innovation, not just in pollution reduction but  
1791 in things like the catalytic converter, the dashboard check  
1792 engine light, and indeed, in the development of zero-emission  
1793 vehicles, which will help us be competitive around the world  
1794 in our auto companies and our auto workers.

1795           The goal of this bill seems to be to keep us stuck in  
1796 the past, keep our heads in the sand, while the real tangible  
1797 dangers of climate change continue to affect climate's  
1798 environment and the economy.

1799           We should not reverse California's historic leadership



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1800 in protecting public health and addressing air pollution from  
1801 the transportation sector. We should embrace it, and we  
1802 should hope that it continues. So I urge my colleagues to  
1803 vote no on H.R. 1435.

1804 I yield back to Ms. Eshoo. Thank you.

1805 \*Ms. Eshoo. And I yield back the balance of my time.

1806 \*The Chair. The gentlelady yields back. Is there  
1807 further discussion?

1808 The chair recognizes Mr. Pfluger for five minutes. For  
1809 what purpose?

1810 \*Mr. Pfluger. Thank you, Madam Chair, to speak -- to  
1811 strike the last word and speak on behalf of this bill.

1812 [Pause.]

1813 \*The Chair. The gentleman is recognized for five  
1814 minutes.

1815 \*Mr. Pfluger. Thank you, Madam Chair. I just want to  
1816 push back on what we have been hearing from my colleagues on  
1817 the other side of the aisle, and I would like to just start  
1818 with a reality check here.

1819 In the past couple of months we have been fortunate in  
1820 this committee to have several secretaries, administrators

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1821 from the EPA, senior-level officials from the EPA have all  
1822 set right here in front of this committee. And we have  
1823 talked about the issue of electrification. And the fact is  
1824 that not a single person that has come before this committee  
1825 has been able to tell us that they have done the math, that  
1826 the Administration has actually gone and looked at the  
1827 electrons that are being produced in this country, and how  
1828 much we will need if we are to follow this electrification  
1829 mandate. Not a single person. The Secretary of Energy  
1830 didn't know it. The director of the EPA didn't know it.  
1831 Other officials didn't know it. They have not done the math;  
1832 we are, literally, beyond reality right now.

1833         And this isn't about climate change, because if it was  
1834 then I believe that my colleagues on the other side of the  
1835 aisle would have made strides when they had the House, the  
1836 Senate, and the White House to actually produce the critical  
1837 minerals here in this country, and not export our dollars to  
1838 China, where the climate effects are much worse. We would  
1839 have done the things and the hard work on permitting and  
1840 other issues on critical minerals to actually mine those  
1841 here.

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1842           So let's just talk about the reality of what EVs are  
1843 costing Americans today. And this is from The New York  
1844 Times. The average price of an EV at the end of 2022 is  
1845 about \$64,000. And that is compared to the Kelley Blue Book  
1846 average for a non-EV internal combustion engine of about  
1847 \$49,000. So \$64,000 for an average price of an EV, as  
1848 reported by the New York Times, and \$49,000 for an internal  
1849 combustion engine.

1850           The only way that Americans, and especially those who  
1851 are paycheck-to-paycheck, and especially because of the  
1852 inflation issues we see because of the all-out assault on  
1853 American energy, the only way Americans can even come close  
1854 to bridging that \$15,000 gap between 64,000 and 49,000 is a  
1855 \$7,500 government investment, and The New York Times actually  
1856 talks about that as one of the main levers that gets it even  
1857 close to being marketable.

1858           There is a truck on the market right now, an F-150  
1859 Lightning. My father in law was a Ford dealer. This F-150  
1860 Lightning has a standard range of 240 miles. But when you  
1861 put any sort of load on that -- and I am talking a small  
1862 trailer -- or if the temperatures drop below a standard day,

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1863 or if you turn on the electric components like the radio, you  
1864 reduce that range by 40 percent, which gives you a whopping  
1865 range on an F-150 lightning of 144 miles, 144 miles.

1866       Folks, this is about overreach. We have seen the  
1867 overreach. It is happening in the EV space. It certainly  
1868 was happening in the gas stove space. It is happening in the  
1869 home appliance space. It is happening in every space.

1870       I am proud to join and support this bill because we are  
1871 the ones that are standing in the gap against the unrealistic  
1872 desires of this Administration that basically want to control  
1873 everything.

1874       I want to get back to something that works. If the car  
1875 makers could have done this -- this is not a new idea -- they  
1876 would have done it years ago. But instead, we are having to  
1877 prop it up with government subsidies of \$7,500. We are  
1878 having to prop it up with massive and billions and billions  
1879 of dollars in the Inflation Reduction Act that they can't  
1880 even get out the door, that they have no mechanisms to get  
1881 out the door. And it is just unrealistic, and it doesn't  
1882 help this country continue to go forward.

1883       I look forward to working with my colleagues on the

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1884 other side of the aisle when it comes to critical minerals  
1885 and extracting those here in the United States in places like  
1886 Minnesota and Wyoming and other places that have those,  
1887 instead of outsourcing to slave labor camps in --

1888 \*Mr. Duncan. Will the gentleman yield?

1889 \*Mr. Pfluger. -- Africa that are run by the Chinese  
1890 Communist Party.

1891 And I will yield to the gentleman from South Carolina.

1892 \*Mr. Duncan. I thank the gentleman.

1893 You know, CAFÉ standards were sort of forced on America  
1894 because the California market was so large that the auto  
1895 manufacturers wanted to sell their cars in California. So  
1896 they complied with the CAFÉ standards. And all of a sudden  
1897 it became sort of the law of the land through EPA.

1898 The reality is this. In California the government has  
1899 told its citizens, "You have to make energy choices. You can  
1900 only plug your vehicle in certain times of day," or "You  
1901 can't plug it in because of the draw on power." People  
1902 wanted to cool their homes or heat their homes or et cetera,  
1903 so the reality is the grid doesn't support it.

1904 Power generation has been taken out of the generation

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1905 mix as generation has retired and not replaced by something  
1906 that is dispatchable 24/7/365 baseload. And forcing electric  
1907 vehicles as the only choice -- which is, I think, the  
1908 Democrat plan -- the only choice for Americans is not  
1909 feasible in this country with our grid and et cetera.

1910 I appreciate the gentleman yielding. I yield back.

1911 \*Mr. Pfluger. My time is expired. I yield back.

1912 \*The Chair. The gentleman yields back. Is there  
1913 further discussion?

1914 The chair recognizes Ms. Matsui for five minutes.

1915 \*Ms. Matsui. Thank you very much, Madam Chair. I move  
1916 to strike the last word and speak in opposition to H.R. 1435.

1917 \*The Chair. Ms. Matsui is recognized for five minutes.

1918 \*Ms. Matsui. Thank you very much.

1919 I am a proud Californian, and we work hard in California  
1920 because we understand the effects of pollution. You know, we  
1921 have been dealing with the impacts of air pollution for a  
1922 long time, and we have repeatedly led the nation in  
1923 addressing air pollution, whether it is greenhouse gases,  
1924 smog, or other pollutants. California established the first  
1925 tailpipe emission standard in the country in 1966. In 1971

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1926 and 1982 we adopted the first NOx standards and the first  
1927 particulate matter standards for motor vehicles.

1928 The Clean Air Act recognizes California's leadership,  
1929 explicitly and intentionally affirming California's authority  
1930 to set separate, more stringent emission standards. Thanks  
1931 to that authority, California has made incredible progress in  
1932 reducing air pollution.

1933 However, we are now facing new challenges. Greenhouse  
1934 gas emissions from vehicles are making extreme weather more  
1935 frequent and more deadly. Record-breaking heat and rainfall  
1936 threaten to make our communities unlivable. Larger, more  
1937 intense and more frequent wildfires have erased many of the  
1938 air quality gains since the 1970s.

1939 Once again, California has developed cutting-edge  
1940 emission standards that reduce greenhouse gas pollutants and  
1941 lead the world in the fight against air pollution. But H.R.  
1942 1435 would prevent California from reducing air pollutants  
1943 and addressing climate change by requiring California to keep  
1944 dirty gas and diesel-powered vehicles on the roads forever.

1945 This Congress we have heard a lot about the need for a  
1946 technology-neutral approach to reducing emissions, but this

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1947 bill does exactly the opposite.

1948           This bill mandates the continued use of the internal  
1949 combustion engine. This bill appears to be intended to  
1950 prevent California from decarbonizing before rural areas have  
1951 the infrastructure to support this transition. But this is  
1952 unnecessary. The Clean Air Act already requires that  
1953 California's emission standards be deemed feasible.

1954           Some of my colleagues have expressed concern that  
1955 automakers are not ready for this transition. But many  
1956 automakers have already committed to a zero-emission future.  
1957 California recently announced a landmark deal with the  
1958 world's largest truck manufacturers to meet California's  
1959 emission standards, even if California's authority under the  
1960 Clean Air Act is challenged, rendering this bill meaningless.

1961           I urge my colleagues to vote no on H.R. 1435, and I  
1962 yield back the balance of my time. Thank you.

1963           \*Mr. Johnson. [Presiding] The gentlelady yields back.

1964           For what purpose does Mr. Palmer seek recognition?

1965           \*Mr. Palmer. Mr. Chairman, I move to strike the last  
1966 word --

1967           \*Mr. Johnson. The gentleman is recognized.



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1968           \*Mr. Palmer. -- and to speak in support of the bill.  
1969           I am always intrigued by my colleagues across the aisle,  
1970 particularly the ones from California, talking about how  
1971 great things are in California. And I will admit and am  
1972 thankful for a lot of the improvements that are -- we have  
1973 enjoyed in terms of emissions control that came out of  
1974 California. But they have reached a point where they have  
1975 gone to an extreme, that it is starting to impact people in  
1976 California to the extent that California, rather than a state  
1977 with a growing population, is now projected by 2060 to lose  
1978 almost 5 percent of its population. People are getting out  
1979 of California as fast as they can.

1980           But I would also like to point out something else. And  
1981 California is noted for a number of things, one of which,  
1982 unfortunately, is smog. And even though over the last couple  
1983 of decades the United States has decreased its production of  
1984 air pollution, by some measures -- the six criteria gases  
1985 tracked by the EPA -- by 86 percent, pollutants from China  
1986 has caused a 65 percent increase in Western ozone, or smog.  
1987 One study shows that 29 percent of the particulates in smog  
1988 over San Francisco come directly from China's coal plants,

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1989 and I think another one showed about 25 percent of all of the  
1990 particulate matter over the State of California comes from  
1991 China coal plants.

1992 China produces 27 percent of the world's greenhouse  
1993 gases, more than any other country in the world. They are  
1994 building 6 times more coal-fired plants than any other  
1995 country, and they are planning more than 300 coal plants in  
1996 places as widely spread as from Turkey, Vietnam, Indonesia,  
1997 Bangladesh, Egypt, Philippines.

1998 My point here is -- and I find this interesting -- that  
1999 they want to abandon fossil fuel hydrocarbons as rapidly as  
2000 they can, they want to get rid of the internal combustion  
2001 engine, but they -- to make themselves more reliant on China,  
2002 which will build more coal-fired plants to build the  
2003 components, the batteries, the other things that they need  
2004 for electric vehicles, which will add more pollution in the  
2005 air over California. I just find that interesting, in  
2006 addition to the fact that, as my friend and colleague from  
2007 Texas pointed out, this is a direct assault on people's  
2008 freedom.

2009 As you pointed out, I drive a pickup truck, and I pull a

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2010 trailer. I have some timberland that I enjoy working on.  
2011 And there is no way an electric -- an EV pickup could pull my  
2012 trailer and my Kawasaki mule or the tractor that we use up  
2013 there. I wouldn't make it 50 miles, probably.

2014 And I just -- if California wants to go all electric, as  
2015 far as I am concerned they can knock themselves out, as long  
2016 as the moving trucks are not EVs. Because I am afraid, if  
2017 they are all EVs, people couldn't get out.

2018 I yield back.

2019 \*Mr. Pence. Will the gentleman yield? Mr. Palmer?

2020 \*Mr. Johnson. Who --

2021 \*Mr. Pence. Will the gentleman yield?

2022 \*Mr. Palmer. I will be glad to yield to the gentleman  
2023 from Indiana.

2024 \*Mr. Pence. Thank you. I want to go off something Mr.  
2025 Pfluger said.

2026 I went out and bought -- went shopping for cars three  
2027 weeks ago, and we can talk about all the numbers we hear  
2028 about and things like that. My wife looked at two different  
2029 SUVs, okay? It was -- the EV was \$16,000 more than the ICE,  
2030 but it was also the smaller version of that manufacturer.

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2031 There is a lot more going on out here. It is not just  
2032 \$16,000 more, it is less of a vehicle.

2033 And with that, I yield back.

2034 \*Mr. Palmer. I would just like for the gentleman to  
2035 clarify when he says ICE he is not talking about Arctic or  
2036 Antarctic ice. You are -- Internal Combustion Engine?

2037 \*Mr. Pence. Yes, sir.

2038 \*Mr. Palmer. I yield back.

2039 \*Mr. Johnson. The gentleman yields back. Do others --  
2040 the gentlelady from Michigan is recognized.

2041 \*Mrs. Dingell. Thank you, Mr. Chairman. I move to  
2042 strike the last word.

2043 \*Mr. Johnson. The gentlelady is recognized for five  
2044 minutes.

2045 \*Mrs. Dingell. Thank you, Mr. Chairman.

2046 This bill, along with the other bills we are  
2047 considering, would collectively have harmful effects on the  
2048 future of the automotive industry and, quite frankly, would  
2049 aim to undo the good progress we have made on reducing  
2050 harmful vehicle emissions, and would stymie future automotive  
2051 innovation in this country.

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2052           The Clean Air Act was a landmark public health law, and  
2053 this bill, H.R. 1435, would weaken public health protections  
2054 and is a direct attack on over 50 years of Congress and EPA  
2055 recognizing California's authority to set stronger protective  
2056 vehicle emission standards. And quite frankly, 17 other  
2057 states have adopted them, and the District of Columbia, so it  
2058 is just not an attack on California.

2059           Revoking past, present, and future waivers would, I  
2060 fear, throw grave and unnecessary uncertainty into the  
2061 marketplace, and create confusion for both industry and  
2062 consumers. One of the most important things is industry  
2063 needs certainty.

2064           And when my colleagues talk about China, China is coming  
2065 into this market with electric vehicles. We are competing in  
2066 a global marketplace. The last quarter in Europe, more than  
2067 42 percent of the sales were these kinds of vehicles. We are  
2068 in a global marketplace. Every major automotive company in  
2069 the United States and around the globe is in a race to  
2070 manufacture and ship greater and greater numbers of clean  
2071 vehicle, including hybrids, battery electric vehicles, and  
2072 hydrogen fuel cell vehicles. This transformational shift to

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2073 other forms -- electric vehicles is the major one right --  
2074 now is well underway.

2075         Thirty percent of U.S. carbon pollution stems from the  
2076 transportation sector, and people are telling us all over the  
2077 place they want to do something about it.

2078         So I love my colleagues on the other side. I am a car  
2079 girl, and I love this industry, and I -- but I have to oppose  
2080 this bill, as well as the other environmental bills we are  
2081 considering today.

2082         I do share it is legitimate, many of the concerns my  
2083 Republicans have raised, particularly on affordability. We  
2084 have got -- but we are going to address that by investing in  
2085 R&D, selling more of the vehicles, et cetera.

2086         And we must make sure that the foundation is strong for  
2087 this transition, that we have built out the charging  
2088 stations, that they are being maintained -- I know that that  
2089 is important -- and that we are investing in the R&D here so  
2090 that we are creating what we need for the batteries in the  
2091 United States, and not increasing our dependency.

2092         But if we are successfully going to make this needed  
2093 transition to alternative technology, we need to do so in a

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2094 comprehensive way, and build on all the meaningful bills from  
2095 last Congress, and we need to do it together. Democrats have  
2096 already made major historic investments in our economic  
2097 future through the Inflation Reduction Act, Bipartisan  
2098 Infrastructure Law, CHIPS and Science Act, which will help  
2099 keep the United States a global leader, create new jobs,  
2100 protect public health, and cut costs for families.

2101           And as I conclude I am going to remind people I am not  
2102 old, but I am seasoned. Remember what happened in this  
2103 country when we weren't ready with smaller vehicles? Other  
2104 countries were. We are competing in a global marketplace.  
2105 And if we don't make sure we are creating and building the  
2106 technology of the future, we are seceding [sic] our  
2107 leadership in mobility and transportation, and I will be  
2108 damned if the United States of America will ever do that.

2109           \*Mr. Walberg. Will the gentlelady yield?

2110           \*Mrs. Dingell. Oh, yes, because I love you, but I am  
2111 not sure.

2112           [Laughter.]

2113           \*Mr. Walberg. I love you, too. And we work together on  
2114 so much. And I agree with some of the things you say, though

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2115 we lost to the Japanese influx because we had lesser quality  
2116 vehicles at the time, and then we picked up our act and now  
2117 we outdo them.

2118 \*Mrs. Dingell. We didn't build small cars.

2119 \*Mr. Walberg. Well, we didn't build good cars for a  
2120 while. Now we got our act together.

2121 The auto industry knows that we do not have the energy  
2122 to do what you are saying we can do yet. They also know that  
2123 only six percent of the people want to buy these things.  
2124 They also know that we are pushing them to do this when, in  
2125 fact, their dealers, their customers really don't want it  
2126 yet.

2127 Let's do it the normal way, through letting the customer  
2128 win, putting out the quality, and then I can agree with you,  
2129 we will have our act together.

2130 I yield back.

2131 \*Mrs. Dingell. Well, I am almost out of time, but I am  
2132 going to say back to my colleague it is the companies that  
2133 are pushing for us to make commitments. Everybody came to  
2134 the table -- UAW, the environmentalists, and the companies --  
2135 and said, "Let's set a goal of 50 percent by the year 2030."



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2136           And with that, I yield back.

2137           \*Mr. Johnson. The gentlelady yields back. I guess we  
2138 will see how long these dealers continue to advocate this as  
2139 these electric vehicles continue to stack up on their lots  
2140 across the country.

2141           The chair now recognizes the gentleman from  
2142 Pennsylvania, the bill's sponsor, for five minutes.

2143           \*Mr. Joyce. I move to strike the last word and speak on  
2144 behalf of H.R. 1435.

2145           First, I want to thank Chair Rodgers for holding this  
2146 markup on these three bills dealing with the automotive  
2147 industry and the Administration's attack on consumers'  
2148 choice.

2149           I ask unanimous consent to enter coalition letters from  
2150 the many businesses represented, the American Fuel and  
2151 Petrochemical Manufacturers, and the National Propane Gas  
2152 Association into the record. These letters demonstrate the  
2153 support of H.R. 1435 from industries that are critical to my  
2154 constituents for their everyday needs.

2155           Let's be honest. Mobility is essential for our American  
2156 way of life. It is critical economically to move goods and

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2157 get people to their jobs. It is critical culturally to give  
2158 Americans the freedom of movement. It is critical in health  
2159 care to give people access to the doctors, the hospitals, and  
2160 the specialists that they need.

2161 Americans have built their lives around reliable and  
2162 affordable transportation, and now government overreach is  
2163 threatening to put the cars and trucks out of reach for the  
2164 working-class Americans. California's new Advanced Clean  
2165 Cars II regulations does just that. These regulations would  
2166 require 35 percent of new cars to be EVs by 2026, and fully  
2167 100 percent of sales to be EVs by 2035.

2168 The only thing standing in the way of these regulations  
2169 being implemented is a required EPA waiver. That is why I,  
2170 along with Representatives Latta, Bilirakis, and Obernolte  
2171 introduced H.R. 1435, the Preserving Choice in Vehicles  
2172 Purchases Act, to prevent the EPA administrator from granting  
2173 a waiver to any regulation that would directly or indirectly  
2174 limit the sale of use -- or the sale or use of new motor  
2175 vehicles with internal combustion engines.

2176 Although starting in California, section 177 of the  
2177 Clean Air Act will ensure that, once adopted, an internal

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2178 combustion ban will spread across the nation, disrupting the  
2179 entire American auto market, and ultimately limiting what my  
2180 constituents are able to buy.

2181         Seventeen states, including my home state of  
2182 Pennsylvania, have already adopted California's clean air  
2183 regulations. These states represent over 40 percent of the  
2184 American auto market, and any electric vehicle mandate on  
2185 that large of a scale is a de facto mandate. It is a de  
2186 facto mandate on the entire market, and represents a decisive  
2187 shift in national policy.

2188         Even the Biden Administration admits that -- the effects  
2189 that this would have on the consumers nationally. Recently,  
2190 on June 22, in front of the Environmental Subcommittee,  
2191 Joseph Gottman, the principal deputy administrator for the  
2192 EPA's Office of Air and Radiation, acknowledged this reality.

2193         The problem is that in rural America EVs cannot fulfill  
2194 the needs of hard-working Americans or their families. They  
2195 can't drive the distance, they can't maintain their charge,  
2196 whether it is in hot or cold weather. They can't recharge  
2197 fast enough to keep people on the move. And for these  
2198 reasons, Americans simply don't want to buy them.

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2199           Last month we heard testimony, in fact, from Scott  
2200 Lambert, the President of the Minnesota Auto Dealers  
2201 Association. His position was very clear. The auto dealers  
2202 were not anti-electric, far from it. In places like Saint  
2203 Paul and Minneapolis, where there is a market for EVs, they  
2204 are happy to sell them. But the cold winters and the rugged  
2205 terrains of states like Minnesota and my home state of  
2206 Pennsylvania require more, more than what the electric  
2207 vehicles can offer. To strip constituents of that choice is  
2208 government overreach at its worst.

2209           Again, Biden Administration officials appear to  
2210 recognize that. On May 2, when asked if he supported banning  
2211 internal combustion engines, EPA Administrator Regan  
2212 responded -- and I am quoting -- "No, not at all.'" When  
2213 asked if he supported consumer choice in vehicles, he  
2214 responded, "I don't see'" -- and I am quoting -- "I don't see  
2215 a near future where we don't have a fuel supply that  
2216 complements electric vehicles and provides customers  
2217 choice.'"

2218           Again, in Joseph Gottman's June 22 testimony he also  
2219 reiterated the commitment not to support a ban on internal

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2220 combustion engines.

2221 As I have made clear before to this committee, H.R. 1435  
2222 is not anti-electric vehicle. Those who can afford it, those  
2223 who want it, an electric vehicle, they should be able to buy  
2224 it. But it does not help constituents in any of our  
2225 districts to require them to buy an EV, regardless of their  
2226 needs and regardless of their wants.

2227 This policy would harm working and middle-class families  
2228 by making cars less capable and thousands of dollars more  
2229 expensive for the people who can least afford it. Only by  
2230 taking government's thumb off of the scale and letting the  
2231 free market decide will Americans get the efficient and  
2232 affordable transportation that they want and that they need.

2233 I urge my colleagues to support this important  
2234 legislation.

2235 Thanks again to Chair Rodgers for holding this important  
2236 markup today, and I yield back.

2237 \*Mr. Johnson. The gentleman yields back and, without  
2238 objection, the document you referenced will be entered into  
2239 the record.

2240 [The information follows:]

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2241

2242 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2243

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2244           \*Mr. Johnson. Does anyone else wish to speak on the  
2245 bill?

2246           \*Mr. Weber. Mr. Chairman?

2247           \*Mr. Johnson. For what purpose does the gentleman from  
2248 Texas seek recognition?

2249           \*Mr. Weber. To strike the last word.

2250           \*Mr. Johnson. The gentleman is recognized for five  
2251 minutes.

2252           \*Mr. Weber. Thank you, Mr. Chairman.

2253           Simple facts. You look back at the U.S. Census Bureau's  
2254 American population numbers in 2010, there was 308-plus  
2255 million Americans. In 2020 there was 331 million Americans.  
2256 It is not quite a 10 percent increase; it is about 8 percent,  
2257 or 23 million more Americans.

2258           Now, isn't it safe to assume that, with 23 million more  
2259 Americans, there is going to be a need for apartments,  
2260 schools, homes, cars, even furnaces, air conditioners? How  
2261 about electric vehicle chargers? There is going to be more  
2262 power needed for electric vehicle chargers and for the  
2263 ladies' hair dryers. Maybe some of the guys -- I don't leave  
2264 those out, if you want hair dryers. We are going to need

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2265 more power for lights. We are going to turn on lights. We  
2266 are going to need more power for air conditioning and, yes,  
2267 even dishwashers. And God forbid that I would throw gas  
2268 stoves into that mix.

2269 The government, the White House, is clearly out of touch  
2270 with the power requirements needed for America. And I think  
2271 the gentleman from South Carolina said this: the grid  
2272 doesn't support -- it is not supportive of enough right now  
2273 for the hard times that we have, certainly not strong enough  
2274 for what the left is proposing.

2275 We need more robust power, a stronger, larger grid,  
2276 output of electricity. And what does that mean? That means  
2277 natural gas and nuclear are still the most reliable. We like  
2278 green, renewable energy. Renewable energy is good.  
2279 Renewable energy can play a supporting actor role in this  
2280 play. It cannot play the leading actor role in this play.  
2281 Natural gas and nuclear are the two best options and the two  
2282 most dependable. But, for Pete's sake, there seems to be a  
2283 lot of opposition to that plan from the left.

2284 California should have learned a lesson when the  
2285 governor said, "Don't charge your electric vehicles between



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2286 9:00 p.m. and 3:00 a.m.'` I am thinking that is when most  
2287 people sleep, and they want to charge that vehicle to get up  
2288 and go to work in the morning. And when they found out that  
2289 they were having rolling blackouts and brownouts -- and I am  
2290 told there is a sign at the California border that says,  
2291 "Last one out of California, turn out the lights.'`

2292 So I love Californians, I love what they -- that they  
2293 are Americans, free Americans. But I don't see that their  
2294 climate policy is all that adorable, quite frankly. What we  
2295 need from our friends on the left is the cooperation to  
2296 understand that, yes, we need more power; yes, it is going to  
2297 be natural gas, it is more dependable; yes, it is going to be  
2298 nuclear, it is clean. We need to make the permitting safer,  
2299 faster, quicker. What we need is cooperation so that, as  
2300 some have said here, we can give Americans the right to make  
2301 their own choices.

2302 And at the risk of sending out a pun at the end, why  
2303 don't we empower Americans to do just that? Let's vote for  
2304 this bill.

2305 \*Mr. Allen. Will the gentleman yield?

2306 \*Mr. Weber. The gentleman from Georgia I will yield to.

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2307           \*Mr. Allen. Just a quick, real-life story. In my  
2308 district a three-generation Cadillac dealer was approached by  
2309 Cadillac saying they were going total electric. He is now  
2310 out of business. Four hundred Cadillac dealers in this  
2311 nation have shut down, based on that decision. Everybody in  
2312 my district is driving a Lexus now, rather than a Cadillac.

2313           You don't think there are going to be economic  
2314 implications to a government, whether it be the State of  
2315 California or the Federal Government making these kind of  
2316 demands of the people of this country?

2317           We are going to destroy our economy. You know, this is  
2318 a real -- this is a three-generation -- this guy and all of  
2319 his people now do not have a job or a business. Folks, let  
2320 the economy, free market economy, determine our course  
2321 forward, or we will and the people of this country will  
2322 suffer greatly.

2323           And I yield back.

2324           \*Mr. Weber. I thank the gentleman for yielding back.  
2325 Mr. Chairman, I yield back.

2326           \*Mr. Johnson. The gentleman yields back. Do others  
2327 wish to speak on the bill?

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2328           The gentlelady from Florida, for what purpose do you  
2329 seek recognition?

2330           \*Ms. Castor. To speak in opposition to the bill.

2331           \*Mr. Johnson. The gentlelady is recognized for five  
2332 minutes.

2333           \*Ms. Castor. You know, I am going to reject the  
2334 Republicans' can't-do spirit, because we live in the United  
2335 States of America and we can do this.

2336           And in fact, we are not destroying the economy.  
2337 Consumers now are voting with their pocketbook. Electric  
2338 vehicle sales have risen about 40 percent since 2016 alone.  
2339 And I have to tell you, I learned a lot when I chaired the  
2340 Select Committee on the Climate Crisis. I went with  
2341 Representative Dingell to Detroit and Dearborn, and listened  
2342 to the engineers, the auto manufacturers who explained very  
2343 clearly we are in a race with China, and right now they are  
2344 producing more EVs than we are. And she is right, this is a  
2345 global marketplace.

2346           So what you are doing is you are -- this is a pro-China  
2347 bill, a pro-China bill. It is an anti-innovation bill. It  
2348 is a pro-pollution bill.

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2349           The future is in cleaner, cheaper energy. And right now  
2350 across America, in large part with the help of the  
2351 infrastructure law and the Inflation Reduction Act, new  
2352 factories and plants are being opened to create the new EVs,  
2353 build them here in America, build the batteries, enhance the  
2354 supply chains. Many of these announcements are in your  
2355 districts, these batteries, all of the plants. The workers  
2356 are getting paid good wages. A lot of these are good, union  
2357 jobs to help grow the middle class.

2358           This is great news for consumers, too. They don't have  
2359 to stop at the gas station. And I think that is what this is  
2360 all about. The fossil fuel companies still have a firm grip  
2361 on the GOP. That is why I often refer to it as the Grand Oil  
2362 Party. And they kind of see this slipping away with electric  
2363 vehicles, as we electrify all kinds of vehicles.

2364           In one visit to California I saw what was happening in  
2365 building the electric busses that our kids are going to ride  
2366 on, where they are -- the air will be cleaner, it will be  
2367 more efficient, it is going to save them money. Innovation  
2368 happening with large trucks, too. That is where a lot of  
2369 capital is flowing out, because we want to win the future.

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2370           The United States of America has always been in the lead  
2371 when we are talking about the transportation sector, and  
2372 automobiles, and how we get around. I am not willing to give  
2373 that up to China. And you shouldn't be, either. This is a  
2374 critical race for the future.

2375           And by the way, we are in a severe climate crisis. The  
2376 cost and impacts of an overheating planet are with us. This  
2377 summer is probably the best summer we are going to see as we  
2378 look ahead, unless we move forward with urgency. Please  
2379 don't turn it back.

2380           Please don't think that just complaining, oh, the price  
2381 point is -- it is too expensive now, because the price points  
2382 are going to come down as innovation ramps up. Already there  
2383 are vehicles all across at different price points. And  
2384 thanks to the Inflation Reduction Act, consumers get  
2385 discounts and credits to make those purchases more  
2386 affordable, and they are going to become more affordable over  
2387 time as we ramp up the supply chain.

2388           So I want to thank my Democratic colleagues for  
2389 believing in America, believing in innovation, trusting  
2390 American consumers, trusting our automobile workers and what

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2391 is happening in America. We can't go backward. We have got  
2392 to go forward, and I trust that we will do so, even in the  
2393 face of the naysayers, the pro-China party, apparently, the  
2394 anti-innovation party, the pro-pollution party. We are not  
2395 going backwards. This is the United States of America, and  
2396 we are going to do this.

2397 Thank you, and I yield --

2398 \*Mr. Soto. Will the gentlelady yield?

2399 \*Ms. Castor. I yield to my colleague --

2400 \*Mr. Soto. Does the gentlelady know the state with the  
2401 second most electric vehicles in the nation?

2402 \*Ms. Castor. It is the Sunshine State.

2403 Thank you, and I yield back.

2404 \*Mr. Johnson. The gentlelady yields back. Does anyone  
2405 else wish to speak?

2406 For what purpose does the gentleman from South Carolina  
2407 seek recognition?

2408 \*Mr. Duncan. I move to strike the last word.

2409 \*Mr. Johnson. The gentleman is recognized for five  
2410 minutes.

2411 \*Mr. Duncan. You know, it is interesting. The

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2412 Republican Party is about innovation and unleashing and  
2413 unbridling the innovative and entrepreneurial spirits of  
2414 Americans.

2415         There is no denial that electric vehicles will be a part  
2416 of our transportation matrix, and I like it. My best friend  
2417 drives a Tesla to work every day, 45 miles one way, works in  
2418 a hospital. It works for him.

2419         But it won't work for everybody. And this legislation  
2420 ensures choices for Americans versus forcing a choice down  
2421 the throats of the Americans, which is what it seems like the  
2422 Democrats want to do with electric vehicles. This is a big  
2423 country. The infrastructure isn't there to provide for the  
2424 electric vehicles.

2425         And I know we have this much-touted IRA and Inflation  
2426 Reduction Act, or the infrastructure bill. That is a  
2427 tremendous amount of government spending to try to build out  
2428 an infrastructure when the generation isn't there to provide  
2429 the power, when governments are telling the consumers they  
2430 have to make electrical choices in charging their vehicles in  
2431 states like California. California is pushing electric  
2432 trucks, or at least forcing the diesel-burning trucks out of

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2433 the market.

2434           And if you really think about it holistically, the  
2435 components for the renewable energies are -- resources,  
2436 whether it is solar panels or wind turbines, a lot of that is  
2437 made in China. China is building a new coal-fired power  
2438 plant every month to power an industry that makes the solar  
2439 panels that are so touted.

2440           And I like renewables. I think they are a part of the  
2441 energy matrix, as well, and they will be, and they should be.  
2442 Eight percent of the power generated in my home state is from  
2443 renewables every day, and we like it.

2444           So if we really care about carbon emissions and the  
2445 climate, it just does not make sense to continue supporting  
2446 companies in China who need power produced by coal, which  
2447 raises global carbon emissions. And a lot of the smog on the  
2448 West Coast, according to my friend from Alabama, comes from  
2449 China. It is the way the wind is blowing.

2450           Republicans and the purpose of this bill is to give  
2451 Americans choices in the marketplace. And if they choose to  
2452 spend their hard-earned money to buy an EV, that is their  
2453 choice. But they ought to have a choice.



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2454 I drive a diesel truck, and I like mine because I don't  
2455 have to make any power choices. If I am stuck in traffic  
2456 during an emergency or during a winter storm, I don't have to  
2457 make power choices.

2458 But if you are sitting in an electric vehicle on the  
2459 interstate in California in rush hour traffic, I will  
2460 guarantee you you are having to make energy choices on  
2461 whether you play the radio or run the air conditioning  
2462 because you are looking at that charge, wondering if you have  
2463 enough to get to the next charging station, or home to your  
2464 children at night, or pick them up from their school, or  
2465 attend their ball game. You are having to make energy  
2466 choices. And the Government of California has made energy  
2467 choices for you, because they told you you can't plug your EV  
2468 in today because of the drain on the grid in that state.

2469 So it seems to me like there is a lack of common sense  
2470 and pragmatism as we approach this. And look, if the  
2471 manufacturers want to manufacture EVs, if they think there is  
2472 a market for it, they will manufacture them. They will sell  
2473 them at a price point that they think the consumers will pay  
2474 so they can sell units because it is all about selling units

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2475 and having a return on the investment at the end of the day.  
2476 The market should determine that. Government shouldn't force  
2477 this.

2478 We heard it that the DoE, they said they are trying to  
2479 nudge America in a certain direction toward electrification.  
2480 It is not a nudge, it is a shove. It is a shove by  
2481 government policies that are forcing Americans to go more  
2482 renewable power generation, more electrification, electric  
2483 vehicles.

2484 We ought to focus in this committee on power generation  
2485 and dispatchable energy and what can work to provide that  
2486 24/7/365 baseload energy that Americans need for their homes,  
2487 for their municipalities, and for manufacturing that provides  
2488 the jobs that we tout so much, the jobs that need the  
2489 electricity to turn the widgets that are created -- the  
2490 machines that create the widgets and the manufacturing  
2491 plants. So let's just inject some common sense and  
2492 pragmatism in this discussion as we move forward.

2493 And with that, I yield back.

2494 \*Mr. Johnson. The gentleman yields back. Are there  
2495 others wishing to speak on the bill?

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2496           Seeing none, are there bipartisan amendments?

2497           Seeing none, are there any amendments?

2498           For what purpose does the gentleman from California seek  
2499 recognition?

2500           \*Mr. Ruiz. Mr. Chair, I have an amendment at the desk  
2501 labeled SC01.

2502           \*Mr. Johnson. The clerk will report.

2503           \*The Clerk. Amendment to H.R. 1435, offered by Mr.  
2504 Ruiz. Beginning on page 2, strike line 24 and all that  
2505 follows through page 3, line 6.

2506           \*Mr. Johnson. Without objection, the reading of the  
2507 amendment is dispensed with.

2508           [The amendment of Mr. Ruiz follows:]

2509

2510           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2511

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2512           \*Mr. Johnson. And the gentleman is recognized for five  
2513 minutes in support of his amendment.

2514           \*Mr. Ruiz. Thank you, Mr. Chairman.

2515           H.R. 1435, the Preserving Choice in Vehicles Purchases  
2516 Act, would prevent the EPA administrator from granting a  
2517 waiver of Federal preemption under the Clean Air Act. As we  
2518 have heard, this bill would put harmful limitations on EPA's  
2519 authority to grant waivers of Federal preemption under the  
2520 Clean Air Act for states like California, whose vehicle  
2521 emission standards are more protective than those at the  
2522 Federal level.

2523           I am strongly opposed to this bill in its entirety. It  
2524 is a direct attack on California and our nation's bedrock  
2525 environmental laws by undermining efforts to decarbonize our  
2526 transportation sector and promote technological innovation.  
2527 This bill overlooks over 50 years of Congress and the EPA  
2528 recognizing the unique air quality challenges faced by  
2529 communities like those in my state, and disregards the clean  
2530 transportation leadership California has shown in response.

2531           To make matters worse, this short-sighted bill also goes  
2532 after waivers previously granted by EPA. This bill requires

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2533 the EPA administrator to revoke existing waivers if they do  
2534 not comply with the bill's vague requirement that California  
2535 standards must not "directly or indirectly limit the sale or  
2536 use of new motor vehicles with internal combustion engines.'`

2537 Industries come to Congress asking for predictability,  
2538 regulatory certainty, and long-term stability. In fact, the  
2539 only witness representing the vehicle manufacturing industry  
2540 testified at the subcommittee legislative hearing that this  
2541 bill would create confusion and uncertainty because of its  
2542 language about revoking existing waivers.

2543 Furthermore, forcing the EPA's administrator to revoke  
2544 existing California waivers is irresponsible, and would  
2545 endanger years of incredible progress in decarbonizing our  
2546 transportation sector. The implementation of this language  
2547 would be chaos.

2548 My amendment would bring stability by striking the  
2549 section of the bill that would require the EPA administrator  
2550 to revoke existing California waivers.

2551 California has significant air pollution challenges. As  
2552 a physician I have seen the public health impacts of air  
2553 pollution firsthand. These consequences are serious and have

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2554 very real effects on the lives of my constituents. From  
2555 having to skip work to deal with air pollution-associated  
2556 health challenges to spending money on unexpected health care  
2557 costs, my constituents are experiencing the negative impacts  
2558 of air pollution every day.

2559 California is making an effort to address these issues  
2560 head on, and in the process has been a leader in reducing  
2561 dangerous air pollution from its transportation section  
2562 [sic]. This has been critical to the health of my  
2563 constituents and for communities across the country.  
2564 Revoking already-granted California waivers is a nonsensical,  
2565 destabilizing step backwards in dealing with climate  
2566 pollution, supporting fossil fuels' interests at the expense  
2567 of innovation and public health.

2568 I strongly support EPA's statutory authority to grant  
2569 California waivers for more protective vehicle emission  
2570 standards, and I support a stable regulatory regime that  
2571 empowers manufacturers to make decisions based on these  
2572 standards. And I vote for my -- a vote for my amendment is a  
2573 vote for regulatory certainty and stability.

2574 I also associate my comments -- or Ms. -- with Ms.

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2575 Castor's comments and Mrs. Dingell's comments. You see,  
2576 there is a free market at play here. The free market is that  
2577 the United States want to be global competitors with China in  
2578 the global market, and we want to make sure that they -- they  
2579 want to make sure that there is constituent or consumer  
2580 demand, as well as regulatory certainty, policy certainty, in  
2581 the industry.

2582 The industry that is most afraid of this market,  
2583 especially the U.S. aggressively competing with China, is the  
2584 fossil fuel, big oil, big gas. You see, what we are doing is  
2585 we are helping to foster that market to meet consumer demand  
2586 by helping to increase supply, because increasing supply will  
2587 eventually reduce costs. By reducing costs we will take into  
2588 consideration the real concerns about the affordability of  
2589 electrical vehicles, and we will get to that market where  
2590 costs will come down.

2591 The other thing we need is consumer demand. Consumers  
2592 would want to do this, but all we have seen from the  
2593 Republicans have been efforts to reduce supply of electrical  
2594 vehicles and the messaging, no matter how they message it, to  
2595 reduce demand. And so this is about -- what we are seeing is

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2596 the saying we want free market, but at the same time there is  
2597 market manipulation by manipulating the policies and the  
2598 incentives to increase demand, to reduce costs, and then also  
2599 to message that the American people don't want these  
2600 electrical vehicles, which, in fact, there is a high demand  
2601 and growing demand for electric vehicles.

2602 So the protective effort that the Republicans are doing  
2603 is to foster the fossil fuel market and gas and their needs.  
2604 And so this is some -- very serious for our free market  
2605 efforts and our ability to produce electric vehicles, to  
2606 reduce costs, and clean our air, and have the can-do American  
2607 spirit of leading this effort.

2608 So I urge my colleagues to support my amendment and  
2609 oppose the underlying bill, and I yield back.

2610 \*Mr. Johnson. The gentleman yields back. Is there  
2611 discussion on the amendment?

2612 The gentleman from Pennsylvania, Dr. Joyce, is  
2613 recognized for five minutes.

2614 \*Mr. Joyce. Thank you, Mr. Chair. I move to strike the  
2615 last word and speak in opposition to this amendment.

2616 \*Mr. Johnson. The gentleman is recognized.



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2617           \*Mr. Joyce. This amendment strikes subsection B of the  
2618 underlying bill, which would revoke any waivers that  
2619 California has received under the Clean Air Act between  
2620 January of 2022 and the date of enactment of the bill.

2621           The underlying bill would cover an array of problematic  
2622 technology for state standards. California has submitted  
2623 final waiver requests to the EPA for Advanced Clean Cars II,  
2624 Advanced Clean Cars I, advanced clean trucks, heavy duty  
2625 vehicle engine emission warranty and maintenance provision,  
2626 and non-road engine pollution control standards.

2627           Remember that the Advanced Clean Cars II would drive  
2628 gas-powered cars off of the road by requiring new vehicle  
2629 sales to be totally electric by 2035. We cannot let  
2630 California dictate the fate of the national car market.

2631           I urge my colleagues to oppose this amendment, and I  
2632 yield back.

2633           \*Mr. Johnson. The gentleman yields back. Is there  
2634 further discussion?

2635           For what purpose does the gentleman from New York seek  
2636 recognition?

2637           \*Mr. Tonko. Mr. Chair, I move to strike the last word.

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2638           \*Mr. Johnson. The gentleman is recognized for five  
2639 minutes.

2640           \*Mr. Tonko. Thank you, sir. I speak in support of  
2641 Congressman Ruiz's amendment.

2642           Mr. Chair, earlier today I mentioned my concerns that  
2643 this bill would create uncertainty for the U.S. auto  
2644 industry. This amendment strikes language that would force  
2645 EPA to go back and revoke previously issued waivers. We  
2646 simply cannot have these wild swings in our approach to  
2647 regulations. Going back and forth between approving and  
2648 revoking waivers will have disastrous effects on the entire  
2649 vehicle market.

2650           At the legislative hearing for this bill, the only  
2651 witness who represented any vehicle manufacturers testified  
2652 that this bill would create substantial disruption in the  
2653 U.S. vehicle market. And of course, this will not only  
2654 affect California, but also disrupt states that adopt  
2655 California's standards under section 177 of the Clean Air  
2656 Act. These states, including my home state of New York  
2657 State, represent more than 40 percent of new vehicle sales.

2658           The witness explained that members of the EV ecosystem,

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2659 including vehicle manufacturers and their supply chains, make  
2660 decisions and investments based on regulatory regimes. And  
2661 if we upend settled regulatory environment, we should expect  
2662 that there will be consequences. Throwing a wrench into how  
2663 EPA and states can regulate dangerous air pollution from  
2664 vehicles would only weaken our domestic vehicle market and  
2665 imperil ongoing investments.

2666 I do urge members to support this amendment. And with  
2667 that, Mr. Chair, I yield back.

2668 \*Mr. Johnson. The gentleman yields back. Is there more  
2669 discussion on the amendment?

2670 Seeing none, the vote now occurs on the amendment, and a  
2671 roll call vote has been requested. The clerk will call the  
2672 roll.

2673 \*The Clerk. Burgess?

2674 \*Mr. Burgess. Burgess votes no.

2675 \*The Clerk. Burgess votes no.

2676 Latta?

2677 \*Mr. Latta. No.

2678 \*The Clerk. Latta votes no.

2679 Guthrie?

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2680 \*Mr. Guthrie. No.  
2681 \*The Clerk. Guthrie votes no.  
2682 Griffith?  
2683 \*Mr. Griffith. No.  
2684 \*The Clerk. Griffith votes no.  
2685 Bilirakis?  
2686 \*Mr. Bilirakis. No.  
2687 \*The Clerk. Bilirakis votes no.  
2688 Johnson?  
2689 \*Mr. Johnson. Johnson votes no.  
2690 \*The Clerk. Johnson votes no.  
2691 Bucshon?  
2692 \*Mr. Bucshon. No.  
2693 \*The Clerk. Bucshon votes no.  
2694 Hudson?  
2695 [No response.]  
2696 \*The Clerk. Walberg?  
2697 \*Mr. Walberg. No.  
2698 \*The Clerk. Walberg votes no.  
2699 Carter?  
2700 \*Mr. Carter. No.

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2701           \*The Clerk. Carter votes no.  
2702           Duncan?  
2703           \*Mr. Duncan. No.  
2704           \*The Clerk. Duncan votes no.  
2705           Palmer?  
2706           [No response.]  
2707           \*The Clerk. Dunn?  
2708           \*Mr. Dunn. No.  
2709           \*The Clerk. Dunn votes no.  
2710           Curtis?  
2711           [No response.]  
2712  
2713           \*The Clerk. Lesko?  
2714           \*Mrs. Lesko. No.  
2715           \*The Clerk. Lesko votes no.  
2716           Pence?  
2717           \*Mr. Pence. No.  
2718           \*The Clerk. Pence votes no.  
2719           Crenshaw?  
2720           \*Mr. Crenshaw. No.  
2721           \*The Clerk. Crenshaw votes no.

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2722 Joyce?  
2723 \*Mr. Joyce. No.  
2724 \*The Clerk. Joyce votes no.  
2725 Armstrong?  
2726 \*Mr. Armstrong. No.  
2727 \*The Clerk. Armstrong votes no.  
2728 Weber?  
2729 \*Mr. Weber. [Inaudible.]  
2730 \*The Clerk. Weber votes no.  
2731 Allen?  
2732 \*Mr. Allen. No.  
2733 \*The Clerk. Allen votes no.  
2734 Balderson?  
2735 \*Mr. Balderson. [Inaudible.]  
2736 \*The Clerk. Balderson votes no.  
2737 Fulcher?  
2738 \*Mr. Fulcher. Fulcher, no.  
2739 \*The Clerk. Fulcher votes no.  
2740 Pfluger?  
2741 \*Mr. Pfluger. No.  
2742 \*The Clerk. Pfluger votes no.

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2743 Harshbarger?  
2744 \*Mrs. Harshbarger. [Inaudible.]  
2745 \*The Clerk. Harshbarger votes no.  
2746 Miller-Meeks?  
2747 \*Mrs. Miller-Meeks. No.  
2748 \*The Clerk. Miller-Meeks votes no.  
2749 Cammack?  
2750 \*Mrs. Cammack. No.  
2751 \*The Clerk. Cammack votes no.  
2752 Obernolte?  
2753 [No response.]  
2754 \*The Clerk. Pallone?  
2755 \*Mr. Pallone. Yes.  
2756 \*The Clerk. Pallone votes aye.  
2757 Eshoo?  
2758 [No response.]  
2759 \*The Clerk. DeGette?  
2760 [No response.]  
2761 \*The Clerk. Schakowsky?  
2762 \*Ms. Schakowsky. Aye.  
2763 \*The Clerk. Schakowsky votes aye.

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2764 Matsui?  
2765 \*Ms. Matsui. Aye.  
2766 \*The Clerk. Matsui votes aye.  
2767 Castor?  
2768 \*Ms. Castor. Aye.  
2769 \*The Clerk. Castor votes aye.  
2770 Sarbanes?  
2771 [No response.]  
2772 \*The Clerk. Tonko?  
2773 \*Mr. Tonko. Aye.  
2774 \*The Clerk. Tonko votes aye.  
2775 Clarke?  
2776 \*Ms. Clarke. Aye.  
2777 \*The Clerk. Clarke votes aye.  
2778 Cardenas?  
2779 \*Mr. Cardenas. Aye.  
2780 \*The Clerk. Cardenas votes aye.  
2781 Ruiz?  
2782 \*Mr. Ruiz. Aye.  
2783 \*The Clerk. Ruiz votes aye.  
2784 Peters?



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2785 [No response.]

2786 \*The Clerk. Dingell?

2787 \*Mrs. Dingell. Aye.

2788 \*The Clerk. Dingell votes aye.

2789 Veasey?

2790 \*Mr. Veasey. Aye.

2791 \*The Clerk. Veasey votes aye.

2792 Kuster?

2793 [No response.]

2794 \*The Clerk. Kelly?

2795 \*Ms. Kelly. Aye.

2796 \*The Clerk. Kelly votes aye.

2797 Barragan?

2798 \*Ms. Barragan. Aye.

2799 \*The Clerk. Barragan votes aye.

2800 Blunt Rochester?

2801 \*Ms. Blunt Rochester. Aye.

2802 \*The Clerk. Blunt Rochester votes aye.

2803 Soto?

2804 \*Mr. Soto. Aye.

2805 \*The Clerk. Soto votes aye.

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2806 Craig?  
2807 \*Ms. Craig. Aye.  
2808 \*The Clerk. Craig votes aye.  
2809 Schrier?  
2810 \*Ms. Schrier. Aye.  
2811 \*The Clerk. Schrier votes aye.  
2812 Trahan?  
2813 \*Mrs. Trahan. Aye.  
2814 \*The Clerk. Trahan votes aye.  
2815 Fletcher?  
2816 \*Mrs. Fletcher. Aye.  
2817 \*The Clerk. Fletcher votes aye.  
2818 Chair Rodgers?  
2819 \*The Chair. No.  
2820 \*The Clerk. Rodgers votes no.  
2821 \*Mr. Johnson. Are there members not recorded?  
2822 How is Mr. Curtis reported?  
2823 \*The Clerk. Mr. Curtis is not recorded.  
2824 \*Mr. Curtis. No.  
2825 \*The Clerk. Curtis votes no.  
2826 \*Mr. Hudson. Hudson?

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2827 \*The Clerk. Mr. Hudson is not recorded.

2828 \*Mr. Hudson. Hudson votes no.

2829 \*The Clerk. Hudson votes no.

2830 \*Mr. Johnson. How is Ms. Eshoo recorded?

2831 \*The Clerk. Ms. Eshoo is not recorded.

2832 \*Ms. Eshoo. Aye.

2833 \*The Clerk. Eshoo votes aye.

2834 \*Mr. Sarbanes. Sarbanes?

2835 \*Mr. Johnson. Mr. Sarbanes, how is Mr. Sarbanes  
2836 recorded?

2837 \*The Clerk. Mr. Sarbanes is not recorded.

2838 \*Mr. Sarbanes. Aye.

2839 \*The Clerk. Sarbanes votes aye.

2840 \*Mr. Johnson. Are there other members that need to be  
2841 recorded?

2842 How is Ms. Castor recorded?

2843 \*The Clerk. Ms. Castor is recorded as aye.

2844 \*Mr. Johnson. How is Mr. Ruiz recorded?

2845 \*The Clerk. Mr. Ruiz is recorded as aye.

2846 \*Mr. Johnson. Okay. The clerk will report.

2847 [Pause.]

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2848           \*The Clerk. Chair Johnson, on that vote we have 20 ayes  
2849 and 27 nays.

2850           \*Mr. Johnson. The amendment is not agreed to.

2851           Are there further amendments?

2852           \*Ms. Barragan. I have an amendment at the desk.

2853           \*Mr. Johnson. For what purpose does the gentlelady from  
2854 California seek recognition?

2855           \*Ms. Barragan. Mr. Chair, I have an amendment at the  
2856 desk, No. SC03.

2857           \*Mr. Johnson. The clerk will report.

2858           \*The Clerk. Amendment to H.R. 1435, offered by Ms.  
2859 Barragan. At the end, the following -- at the end of the  
2860 following. Effective date. This act and the amendments made  
2861 by this act may not take effect until the administrator of  
2862 the Environmental Protection Agency certifies that  
2863 implementation of this act in such amendments will not  
2864 cause --

2865           \*Mr. Johnson. Without objection, the reading of the  
2866 amendment is dispensed with.

2867           [The amendment of Ms. Barragan follows:]

2868

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2869 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2870

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2871           \*Mr. Johnson. And the gentlelady is recognized for five  
2872 minutes in support of her amendment.

2873           \*Ms. Barragan. Thank you, Mr. Chair, and thank you for  
2874 reading a good part of that. I will repeat a little bit of  
2875 it.

2876           My amendment prevents this bill, H.R. 1435, from going  
2877 into effect unless the director of the Environmental  
2878 Protection Agency determines it will not harm the public  
2879 health of environmental justice communities.

2880           The Clean Air Act waiver allows California to adopt  
2881 stronger vehicle emission standards than the Federal  
2882 Government. California has taken action to do just that.  
2883 Its latest clean truck rule will provide more than \$26  
2884 billion in public health benefits over the life of the  
2885 Regulation.

2886           There are real people behind this number. My  
2887 constituents in Wilmington, California, a Latino community,  
2888 have urged elected officials to address truck pollution and  
2889 air pollution in their neighborhoods. These residents have  
2890 said that their doctor visits -- at their doctor visits they  
2891 are being diagnosed with respiratory issues like asthma. And

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2892 we know that in my district doctor offices have asthma  
2893 inhalers piled up. Higher air pollution causes heart  
2894 disease, lung disease, and cancer.

2895 This is an environmental justice issue for Latino  
2896 communities and communities of color across our country.

2897 Now that clean vehicle technology has advanced,  
2898 California and other states have stepped up to protect  
2899 residents from zero-emission car and truck standards that  
2900 will lead to fewer early deaths, less trips to the hospital  
2901 or the doctor's office, a decrease in lost workdays because  
2902 of poor health caused by pollution. And this Republican bill  
2903 attacks California's ability to protect its residents. It  
2904 also will hurt the public health of residents in other states  
2905 that have adopted California vehicle standards.

2906 I want to urge my colleagues to support my amendment to  
2907 make sure this bill will not go into effect if it harms the  
2908 health of environmental justice communities.

2909 Also, I want to take a moment because we heard some  
2910 inaccurate information. There is this misconception that  
2911 nobody wants to buy electric vehicles. That is just not  
2912 true. It is just not true. If there are electric vehicles

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2913 piling up someplace, there is a waiting list in the State of  
2914 California. Send your vehicles to California because there  
2915 are buyers there.

2916 As a matter of fact, there was a quote on how much  
2917 electric vehicles cost. I think the number was, like,  
2918 somewhere in the \$60,000 mark. Number one, there are  
2919 electric vehicles that are cheaper than that. But costs are  
2920 going up for electric vehicles, at least in California. Why?  
2921 Because there is a waiting list, because more people want  
2922 them. And so I just wish we would stop repeating this  
2923 falsehood, that there is no demand. There might be parts of  
2924 the country where there might be some on a lot. I don't know  
2925 where. But just to blanketly say there is not a demand, or  
2926 cars are piling up across the country is inaccurate. And I  
2927 just want us to have a fair and accurate debate.

2928 And with that, I want to urge my colleagues to support  
2929 my amendment, and I yield back.

2930 \*Mr. Burgess. [Presiding] The gentlelady yields back.  
2931 Mr. Joyce, for what purpose do you seek recognition?

2932 \*Mr. Joyce. I wish to strike the last word in  
2933 opposition to the amendment.



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2934           \*Mr. Burgess. The gentleman is recognized for five  
2935 minutes.

2936           \*Mr. Joyce. I thank my colleague for bringing health  
2937 care into this discussion.

2938           As a rural physician, someone who worked to serve  
2939 patients for over 25 years, I know the challenges and the  
2940 concerns and, most importantly, the barriers to care that  
2941 these patients can often face. In my practice in  
2942 Pennsylvania I saw patients from across the entire  
2943 commonwealth. Some had to drive more than 100 miles just to  
2944 see a doctor. We cared for patients from Maryland and West  
2945 Virginia, as well, many spending hours in their vehicles  
2946 across Appalachia to see a physician.

2947           These patients need reliable and affordable  
2948 transportation to receive their medical care. I am gravely  
2949 concerned about the effect of banning all internal combustion  
2950 engines, and that effect on access to health care for  
2951 patients in rural America. In my part of the country,  
2952 internal combustion engines are reliable and they are  
2953 affordable, and that is how health care is accessed.

2954           In my own experience as a child, my parents had to drive

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2955 my younger brother over 200 miles to Philadelphia to see a  
2956 cardiothoracic surgeon. There were none in our community.  
2957 The shortage of specialists in rural America means that more  
2958 and more people are forced to drive to cities like Pittsburgh  
2959 and Philadelphia to receive the care that they need. People  
2960 in my community know how important transportation --  
2961 affordable, accessible transportation -- is to health care.

2962 We have heard expert testimony on this subject.  
2963 Electric vehicles simply are not a workable solution for my  
2964 constituents. Even EPA Administrator Regan said -- and I am  
2965 quoting -- "I don't see a near-term future where we don't  
2966 have a fuel supply that complements electric vehicles and  
2967 provides consumer choice.'`

2968 I authored this bill specifically because I have the  
2969 interests of both my former patients and my constituents at  
2970 heart.

2971 Thank you, Mr. Chair, and I yield back.

2972 \*Mr. Burgess. The gentleman yields back.

2973 \*Mr. Latta. Will the gentleman yield?

2974 \*Mr. Joyce. Yes, I yield to the gentleman from Ohio.

2975 \*Mr. Latta. Well, thank you very much. I also would

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2976 like to speak in opposition to this amendment.

2977           My Democrat colleagues want to claim that if you don't  
2978 support the amendment you don't support the Clean Air Act,  
2979 public health, or environmental justice communities. I think  
2980 we can all say that we all support clean air and we want to -  
2981 - and public health for our communities. I do not support  
2982 policies that, in the name of public health, undermine  
2983 health, welfare, and the people's ability to work and provide  
2984 for their families for only one community.

2985           This amendment in the name of public health would harm  
2986 people by enabling the EPA to continue its dangerous actions.  
2987 Let's not forget that Congress designed the Clean Air Act  
2988 with a holistic, realistic view of the needs of the American  
2989 families and enacted the seminal law "to promote the public  
2990 health and welfare and the productive capacity of its  
2991 population.'` The amendment not only ignores the realistic  
2992 and appropriate approach to implementing emissions standards,  
2993 it also exposes Americans to numerous adverse effects --  
2994 impacts that are created by the mandated use of electric  
2995 vehicles.

2996           We have had ample testimony about this in committee. We

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2997 know today that the new cars, SUVs and pickup trucks, are 99  
2998 percent cleaner than they were in the 1970 models for common  
2999 pollutants. However, in order to decrease emissions by the  
3000 remaining one percent, EPA is on a path to limit America's --  
3001 Americans' mobility at the expense of cost to working  
3002 families. And I think a number of things have to be pointed  
3003 out.

3004           You know, costs are going up. It has been pointed out a  
3005 little bit earlier that, just looking at the differences in  
3006 prices, you know, what the costs of a car would be for an  
3007 average American, you are looking at up to \$64,000, according  
3008 to some of the articles that have been quoted.

3009           And the other thing you have to think about in this  
3010 whole question is this. We have a situation that we only  
3011 produce one percent of the world's lithium in the United  
3012 States. I was at that lithium mine last year. And again, we  
3013 are trying to get more in production. The problem is, again,  
3014 it is taking us 7 to 10 years, from our hearings, to get  
3015 anything done in this country to get a permit done. So that  
3016 puts us on reliance of who? Well, communist China, because  
3017 communist China produces -- not only produces, but it is the

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3018 ones that are out there processing between 80 to 85 percent  
3019 of the world's lithium.

3020 So it is important that we remember the sources out  
3021 there. Because what happens if we get cut off, and all of a  
3022 sudden we are totally reliant on a single source of  
3023 transportation when our adversary is the one having it?

3024 So this is going to hit the bottom line for American  
3025 families. And so, you know, if you are saving for college or  
3026 your groceries or, you know, anything that you are going to  
3027 be doing out there, it is going to cost us more. So that is  
3028 why, you know, I have -- I think the American people should  
3029 be the judges of what they want to drive. You want to drive  
3030 electric or you want to drive a combustion, that is up to  
3031 you, but not should be for the Federal Government.

3032 And with that, I yield back to my friend from  
3033 Pennsylvania.

3034 \*Mr. Joyce. The gentleman yields back.

3035 \*Mr. Johnson. [Presiding] The gentleman yields back.  
3036 Is there more discussion?

3037 For what purpose does Ms. Clarke seek recognition?

3038 \*Ms. Clarke. Mr. Chairman, I move to strike the last

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3039 word.

3040 \*Mr. Johnson. The gentlelady is recognized for five  
3041 minutes.

3042 \*Ms. Clarke. Thank you.

3043 Reducing dangerous pollution from our nation's vehicles  
3044 is an urgent issue for the over 120 million people in the  
3045 United States who live in the areas with unhealthy levels of  
3046 air pollution.

3047 Studies have time and time again shown that communities  
3048 of color and economically disadvantaged neighborhoods are  
3049 disproportionately exposed to air pollution from vehicles.  
3050 For instance, light-duty gas vehicles have been shown to be  
3051 one of the most significant emission sources driving the  
3052 disparity between communities of color and exposure to  
3053 particulate matter.

3054 I have said this before, and I will say it again: for  
3055 environmental justice communities where pollution from  
3056 "peaker" power plants, chemical facilities, dirty diesel  
3057 trucks are compounded, pollution is a matter of life and  
3058 death.

3059 Cutting greenhouse gas emissions in the transportation

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3060 sector is one of the most significant steps we must take to  
3061 both meet our climate goals and protect our most vulnerable  
3062 populations.

3063 I urge my colleagues to support this amendment, and I  
3064 yield back.

3065 \*Mr. Johnson. The gentlelady yields back. Is there  
3066 further discussion on the amendment?

3067 Seeing none, the vote now occurs. The roll call has  
3068 been requested. The clerk will call the roll.

3069 \*The Clerk. Burgess?

3070 \*Mr. Burgess. Burgess votes no.

3071 \*The Clerk. Burgess votes no.

3072 Latta?

3073 \*Mr. Latta. No.

3074 \*The Clerk. Latta votes no.

3075 Guthrie?

3076 [No response.]

3077 \*The Clerk. Griffith?

3078 [No response.]

3079 \*The Clerk. Bilirakis?

3080 \*Mr. Bilirakis. No.

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3081           \*The Clerk. Bilirakis votes no.  
3082           Johnson?  
3083           \*Mr. Johnson. No.  
3084           \*The Clerk. Johnson votes no.  
3085           Bucshon?  
3086           \*Mr. Bucshon. No.  
3087           \*The Clerk. Bucshon votes no.  
3088           Hudson?  
3089           [No response.]  
3090           \*The Clerk. Walberg?  
3091           [No response.]  
3092           \*The Clerk. Carter?  
3093           [No response.]  
3094           \*The Clerk. Duncan?  
3095           [No response.]  
3096           \*The Clerk. Palmer?  
3097           [No response.]  
3098           \*The Clerk. Dunn?  
3099           [No response.]  
3100           \*The Clerk. Dunn?  
3101           [No response.]



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3102           \*The Clerk. Curtis?  
3103           \*Mr. Curtis. No.  
3104           \*The Clerk. Curtis votes no.  
3105           Lesko?  
3106           \*Mrs. Lesko. No.  
3107           \*The Clerk. Lesko votes no.  
3108           Pence?  
3109           \*Mr. Pence. No.  
3110           \*The Clerk. Pence votes no.  
3111           Crenshaw?  
3112           \*Mr. Crenshaw. No.  
3113           \*The Clerk. Crenshaw votes no.  
3114           Joyce?  
3115           \*Mr. Joyce. No.  
3116           \*The Clerk. Joyce votes no.  
3117           Armstrong?  
3118           \*Mr. Armstrong. No.  
3119           \*The Clerk. Armstrong votes no.  
3120           Weber?  
3121           [No response.]  
3122           \*The Clerk. Weber?

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3123           \*Mr. Weber. No.  
3124           \*The Clerk. Weber votes no.  
3125           Allen?  
3126           \*Mr. Allen. No.  
3127           \*The Clerk. Allen votes no.  
3128           Balderson?  
3129           \*Mr. Balderson. No.  
3130           \*The Clerk. Balderson votes no.  
3131           Fulcher?  
3132           \*Mr. Fulcher. Fulcher, no.  
3133           \*The Clerk. Fulcher votes no.  
3134           Pfluger?  
3135           \*Mr. Pfluger. [Inaudible.]  
3136           \*The Clerk. Pfluger votes no.  
3137           Harshbarger?  
3138           \*Mrs. Harshbarger. [Inaudible.]  
3139           \*The Clerk. Harshbarger votes no.  
3140           Miller-Meeks?  
3141           \*Mrs. Miller-Meeks. No.  
3142           \*The Clerk. Miller-Meeks votes no.  
3143           Cammack?

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3144 \*Mrs. Cammack. No.  
3145 \*The Clerk. Cammack votes no.  
3146 Obernolte?  
3147 [No response.]  
3148 \*The Clerk. Pallone?  
3149 \*Mr. Pallone. Yes.  
3150 \*The Clerk. Pallone votes aye.  
3151 Eshoo?  
3152 \*Ms. Eshoo. Aye.  
3153 \*The Clerk. Eshoo votes aye.  
3154 DeGette?  
3155 \*Ms. DeGette. Aye.  
3156 \*The Clerk. DeGette votes aye.  
3157 Schakowsky?  
3158 \*Ms. Schakowsky. Aye.  
3159 \*The Clerk. Schakowsky votes aye.  
3160 Matsui?  
3161 \*Ms. Matsui. Aye.  
3162 \*The Clerk. Matsui votes aye.  
3163 Castor?  
3164 \*Ms. Castor. Aye.

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3165           \*The Clerk. Castor votes aye.  
3166           Sarbanes?  
3167           \*Mr. Sarbanes. Aye.  
3168           \*The Clerk. Sarbanes votes aye.  
3169           Tonko?  
3170           [No response.]  
3171           \*The Clerk. Clarke?  
3172           \*Ms. Clarke. Aye.  
3173           \*The Clerk. Clarke votes aye.  
3174           Cardenas?  
3175           \*Mr. Cardenas. Aye.  
3176           \*The Clerk. Cardenas votes aye.  
3177           Ruiz?  
3178           \*Mr. Ruiz. Aye.  
3179           \*The Clerk. Ruiz votes aye.  
3180           Peters?  
3181           \*Mr. Peters. Aye.  
3182           \*The Clerk. Peters votes aye.  
3183           Dingell?  
3184           \*Mrs. Dingell. Aye.  
3185           \*The Clerk. Dingell votes aye.

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3186           Veasey?  
3187           \*Mr. Veasey.   Aye.  
3188           \*The Clerk.   Veasey votes aye.  
3189           Kuster?  
3190           [No response.]  
3191           \*The Clerk.   Kelly?  
3192           \*Ms. Kelly.   Aye.  
3193           \*The Clerk.   Kelly votes aye.  
3194           Barragan?  
3195           \*Ms. Barragan.  Aye.  
3196           \*The Clerk.   Barragan votes aye.  
3197           Blunt Rochester?  
3198           \*Ms. Blunt Rochester.  Aye.  
3199           \*The Clerk.   Blunt Rochester votes aye.  
3200           Soto?  
3201           [No response.]  
3202           \*The Clerk.   Craig?  
3203           [No response.]  
3204           \*The Clerk.   Schrier?  
3205           \*Ms. Schrier.  Aye.  
3206           \*The Clerk.   Schrier votes aye.

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3207 Trahan?  
3208 \*Mrs. Trahan. Aye.  
3209 \*The Clerk. Trahan votes aye.  
3210 Fletcher?  
3211 \*Mrs. Fletcher. Aye.  
3212 \*The Clerk. Fletcher votes aye.  
3213 Chair Rodgers?  
3214 \*The Chair. No.  
3215 \*The Clerk. Chair Rodgers votes no.  
3216 \*Mr. Johnson. Can the clerk call the members that have  
3217 not been recorded, please?  
3218 \*The Clerk. Guthrie?  
3219 \*Mr. Guthrie. No.  
3220 \*The Clerk. Guthrie votes no.  
3221 Griffith?  
3222 \*Mr. Griffith. No.  
3223 \*The Clerk. Griffith votes no.  
3224 Hudson?  
3225 \*Mr. Hudson. No.  
3226 \*The Clerk. Hudson votes no.  
3227 Walberg?

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3228 \*Mr. Walberg. No.  
3229 \*The Clerk. Walberg votes no.  
3230 Carter?  
3231 \*Mr. Carter. No.  
3232 \*The Clerk. Carter votes no.  
3233 Duncan?  
3234 \*Mr. Duncan. No.  
3235 \*The Clerk. Duncan votes no.  
3236 Palmer?  
3237 [No response.]  
3238 \*The Clerk. Dunn?  
3239 \*Mr. Dunn. No.  
3240 \*The Clerk. Dunn votes no.  
3241 Tonko?  
3242 \*Mr. Tonko. Aye.  
3243 \*The Clerk. Tonko votes aye.  
3244 Kuster?  
3245 [No response.]  
3246 \*The Clerk. Soto?  
3247 \*Voice. Did Rodgers vote?  
3248 \*The Clerk. Craig?

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3249 \*Mr. Johnson. Do any other members seek to be recorded?

3250 [Pause.]

3251 \*Mr. Johnson. The clerk will report.

3252 [Pause.]

3253 \*The Clerk. Chair Johnson, on that vote we have 20 ayes  
3254 and 28 nays -- I mean 27 nays, I am sorry.

3255 \*Mr. Johnson. The amendment is not agreed to.

3256 Are there further amendments?

3257 Seeing none, the question now occurs on approving H.R.

3258 1435. Those in favor will say aye; those opposed will say

3259 no.

3260 Those in favor, say aye.

3261 Those opposed?

3262 A roll call has been requested. The clerk will report.

3263 \*The Clerk. Burgess?

3264 [No response.]

3265 \*The Clerk. Latta?

3266 \*Mr. Latta. Aye.

3267 \*The Clerk. Can Mr. Latta repeat his vote?

3268 \*Mr. Latta. Aye.

3269 \*The Clerk. Latta votes aye.



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3270 Guthrie?  
3271 \*Mr. Guthrie. Aye.  
3272 \*The Clerk. Guthrie votes aye.  
3273 Griffith?  
3274 \*Mr. Griffith. Aye.  
3275 \*The Clerk. Griffith votes aye.  
3276 Bilirakis?  
3277 \*Mr. Bilirakis. Aye.  
3278 \*The Clerk. Bilirakis votes aye.  
3279 Johnson?  
3280 \*Mr. Johnson. Aye.  
3281 \*The Clerk. Johnson votes aye.  
3282 Bucshon?  
3283 \*Mr. Bucshon. Aye.  
3284 \*The Clerk. Bucshon votes aye.  
3285 Hudson?  
3286 [No response.]  
3287 \*The Clerk. Walberg?  
3288 \*Mr. Walberg. Aye.  
3289 \*The Clerk. Walberg votes aye.  
3290 Carter?

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3291 \*Mr. Carter. Aye.  
3292 \*The Clerk. Carter votes aye.  
3293 Duncan?  
3294 \*Mr. Duncan. [Inaudible.]  
3295 \*The Clerk. Duncan votes aye.  
3296 Palmer?  
3297 [No response.]  
3298 \*The Clerk. Dunn?  
3299 \*Mr. Dunn. Aye.  
3300 \*The Clerk. Dunn votes aye.  
3301 Curtis?  
3302 \*Mr. Curtis. Aye.  
3303 \*The Clerk. Curtis votes aye.  
3304 Lesko?  
3305 \*Mrs. Lesko. Aye.  
3306 \*The Clerk. Lesko votes aye.  
3307 Pence?  
3308 \*Mr. Pence. Aye.  
3309 \*The Clerk. Pence votes aye.  
3310 Crenshaw?  
3311 \*Mr. Crenshaw. Aye.

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3312           \*The Clerk. Crenshaw votes aye.  
3313           Joyce?  
3314           \*Mr. Joyce. Aye.  
3315           \*The Clerk. Joyce votes aye.  
3316           Armstrong?  
3317           \*Mr. Armstrong. Yes.  
3318           \*The Clerk. Armstrong votes aye.  
3319           Weber?  
3320           \*Mr. Weber. [Inaudible.]  
3321           \*The Clerk. Weber votes aye.  
3322           Allen?  
3323           [No response.]  
3324           \*The Clerk. Balderson?  
3325           \*Mr. Balderson. Aye.  
3326           \*The Clerk. Balderson votes aye.  
3327           Fulcher?  
3328           \*Mr. Fulcher. Fulcher is aye.  
3329           \*The Clerk. Fulcher votes aye.  
3330           Pfluger?  
3331           \*Mr. Pfluger. [Inaudible.]  
3332           \*The Clerk. Pfluger votes aye.

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3333 Harshbarger?  
3334 \*Mrs. Harshbarger. [Inaudible.]  
3335 \*The Clerk. Harshbarger votes aye.  
3336 Miller-Meeks?  
3337 \*Mrs. Miller-Meeks. [Inaudible.]  
3338 \*The Clerk. Miller-Meeks votes aye.  
3339 Cammack?  
3340 \*Mrs. Cammack. Aye.  
3341 \*The Clerk. Cammack votes aye.  
3342 Obernolte?  
3343 [No response.]  
3344 \*The Clerk. Pallone?  
3345 \*Mr. Pallone. No.  
3346 \*The Clerk. Pallone votes no.  
3347 Eshoo?  
3348 \*Ms. Eshoo. No.  
3349 \*The Clerk. Eshoo votes no.  
3350 DeGette?  
3351 \*Ms. DeGette. No.  
3352 \*The Clerk. DeGette votes no.  
3353 Schakowsky?

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3354 \*Ms. Schakowsky. No.  
3355 \*The Clerk. Schakowsky votes no.  
3356 Matsui?  
3357 \*Ms. Matsui. No.  
3358 \*The Clerk. Matsui votes no.  
3359 Castor?  
3360 \*Ms. Castor. No.  
3361 \*The Clerk. Castor votes no.  
3362 Sarbanes?  
3363 \*Mr. Sarbanes. No.  
3364 \*The Clerk. Sarbanes votes no.  
3365 Tonko?  
3366 \*Mr. Tonko. No.  
3367 \*The Clerk. Tonko votes no.  
3368 Clarke?  
3369 \*Ms. Clarke. No.  
3370 \*The Clerk. Clarke votes no.  
3371 Cardenas?  
3372 \*Mr. Cardenas. No.  
3373 \*The Clerk. Cardenas votes no.  
3374 Ruiz?

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3375           \*Mr. Ruiz. No.  
3376           \*The Clerk. Ruiz votes no.  
3377           Peters?  
3378           \*Mr. Peters. [Inaudible.]  
3379           \*The Clerk. Peters votes no.  
3380           Dingell?  
3381           \*Mrs. Dingell. No.  
3382           \*The Clerk. Dingell votes no.  
3383           Veasey?  
3384           \*Mr. Veasey. No.  
3385           \*The Clerk. Veasey votes no.  
3386           Kuster?  
3387           [No response.]  
3388           \*The Clerk. Kelly?  
3389           \*Ms. Kelly. No.  
3390           \*The Clerk. Kelly votes no.  
3391           Barragan?  
3392           \*Ms. Barragan. No.  
3393           \*The Clerk. Barragan votes no.  
3394           Blunt Rochester?  
3395           \*Ms. Blunt Rochester. No.

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3396 \*The Clerk. Blunt Rochester votes no.  
3397 Soto?  
3398 \*Mr. Soto. No.  
3399 \*The Clerk. Soto votes no.  
3400 Craig?  
3401 [No response.]  
3402 \*The Clerk. Schrier?  
3403 \*Ms. Schrier. No.  
3404 \*The Clerk. Schrier votes no.  
3405 Trahan?  
3406 \*Mrs. Trahan. No.  
3407 \*The Clerk. Trahan votes no.  
3408 Fletcher?  
3409 \*Mrs. Fletcher. No.  
3410 \*The Clerk. Fletcher votes no.  
3411 Rodgers?  
3412 \*Mr. Johnson. How is Allen recorded?  
3413 \*The Clerk. Mr. Allen is not recorded.  
3414 \*Mr. Allen. Allen votes yes.  
3415 \*The Clerk. Allen votes aye.  
3416 \*Mr. Johnson. Would the clerk call the roll for those

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3417 not recorded, please?

3418 \*The Clerk. Chair Rodgers?

3419 [No response.]

3420 \*The Clerk. Burgess?

3421 [No response.]

3422 \*The Clerk. Hudson?

3423 \*Mr. Hudson. Aye.

3424 \*The Clerk. Hudson votes aye.

3425 Palmer?

3426 [No response.]

3427 \*The Clerk. Obernolte?

3428 [No response.]

3429 \*The Clerk. Kuster?

3430 [No response.]

3431 \*The Clerk. Craig?

3432 \*Ms. Craig. Ms. Craig votes no.

3433 \*The Clerk. Craig votes no.

3434 \*Mr. Johnson. How is Chair Rodgers recorded?

3435 \*The Clerk. Chair Rodgers is not recorded.

3436 \*The Chair. Chair Rodgers votes aye.

3437 \*The Clerk. Chair Rodgers votes aye.



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3438 \*Mr. Johnson. The clerk will report.

3439 [Pause.]

3440 \*The Clerk. Chair Johnson, on that vote we have 26 ayes  
3441 and 22 nays.

3442 [Pause.]

3443 \*Mr. Johnson. The ayes have it, and the bill is  
3444 adopted.

3445 The chair now calls up H.R. 4468, and asks the clerk to  
3446 report.

3447 \*The Clerk. H.R. 4468, a bill to prohibit the  
3448 administrator of the Environmental Protection Agency from  
3449 finalizing, implementing, or enforcing a proposed rule with  
3450 respect to emissions from vehicles, and further --

3451 \*Mr. Johnson. Without objection, the first reading of  
3452 the bill is dispensed with, and the bill will be open for  
3453 amendment at any point.

3454 So ordered.

3455 [The bill follows:]

3456

3457 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3458

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3459 \*Mr. Johnson. Does anyone seek to be recognized --

3460 \*Mr. Allen. Mr. Chair?

3461 \*Mr. Johnson. For what purpose does the gentleman from  
3462 Georgia seek recognition?

3463 \*Mr. Allen. Mr. Chairman, I move to strike the last  
3464 word to speak in favor of the CARS Act.

3465 \*Mr. Johnson. The gentleman is recognized for five  
3466 minutes.

3467 \*Mr. Allen. The American people have a right to decide  
3468 which car to buy that best fits their needs, not unelected  
3469 bureaucrats. However, the Environmental Protection Agency,  
3470 EPA, has proposed a rule, the multi-pollutant emission  
3471 standards for model years 2027 and later light-duty and  
3472 medium-duty vehicles, which is a backdoor policy towards  
3473 taking gas-powered engines off the market.

3474 There is also consensus in the automobile industry that  
3475 the EPA's tailpipe emissions rule is nothing more than a  
3476 mandate for electric vehicles. According to the  
3477 Congressional Budget Office, projections that electric  
3478 vehicles will not -- will only account for 30 to 56 percent  
3479 of new car sales by 2032. Even with the massive incentives

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3480 for electric vehicles included in Biden's so-called Inflation  
3481 Reduction Act, this falls well short of EPA's goal of two-  
3482 thirds of new car sales being electric vehicles.

3483 In looking at the current electric vehicle market,  
3484 electric vehicles only account for 4.5 percent of new vehicle  
3485 sales. I would also like to note that during the  
3486 environmental subcommittee markup two weeks ago, I mentioned  
3487 that electric vehicles are not a new phenomenon, but have  
3488 been around for nearly 200 years. So again, why is there  
3489 this rush now to incentivize and speed up the production of  
3490 vehicles that are not popular among consumers?

3491 According to a recent Gallup poll, 41 percent of  
3492 Americans unequivocally would not buy an electric vehicle.  
3493 EPA's de facto EV mandate would take options away from the  
3494 more than 84 percent of Americans that are likely to choose  
3495 or would strongly prefer a gas-powered or hybrid vehicle. No  
3496 matter how much government floods the market with  
3497 requirements that squeezes out internal combustion engines  
3498 and require electric vehicles, if consumers aren't buying  
3499 those cars, nobody is going to win.

3500 That is why I am supporting the CARS Act, authored by my

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3501 colleague, Congressman Walberg. This bill stops EPA's  
3502 current light and medium-duty vehicle regulation, and instead  
3503 allows consumers and the market to determine the cars and  
3504 engine technology they want available, not the Federal  
3505 Government.

3506 I urge my colleagues to support the CARS Act, and I  
3507 yield back.

3508 \*Mr. Johnson. The gentleman yields back. For what  
3509 purpose does the gentleman from New Jersey seek --

3510 \*Mr. Pallone. I move to strike the last word and speak  
3511 in opposition to the bill.

3512 \*Mr. Johnson. The gentleman is recognized for five  
3513 minutes.

3514 \*Mr. Pallone. Thank you, Mr. Chairman. I strongly  
3515 oppose H.R. 4468, the Choice in Automobile Retail Sales Act  
3516 of 2023.

3517 This bill is a direct attack on the current and expected  
3518 future success of our domestic vehicle manufacturing  
3519 industry. In addition to cutting industry stakeholders out  
3520 of the rulemaking process by barring EPA from finalizing its  
3521 light and medium-duty vehicle proposal for model years 2027

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3522 and later, this bill would put in place far-reaching and ill-  
3523 defined requirements for any future vehicle emission  
3524 standards.

3525         The way I read it, this bill would block EPA from ever  
3526 regulating tailpipe emissions from the transportation sector.  
3527 And it is disappointing that my Republican colleagues are  
3528 reverting to their playbook of dismantling common-sense  
3529 protections, even when it is against the best interests of  
3530 public health, the environment, and our economy.

3531         When announcing this markup, Chair Rodgers said, and I  
3532 quote, that "America's global leadership and ability to win  
3533 the future depends on our capacity to harness the  
3534 technologies that will shape our nation and the world in the  
3535 coming decades," and that "we must make certain that  
3536 America, not China, is capturing the innovations in these  
3537 industries," and I agree with her statement, which is why I  
3538 am baffled that my majority colleagues included H.R. 4468 on  
3539 today's agenda, because this bill would hurt our global  
3540 leadership and our ability to harness new technologies, and  
3541 would only weaken our ability to compete with China.

3542         EVs are not science fiction. This innovative technology

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3543 has been around for decades, and is becoming a more popular  
3544 vehicle choice for consumers around the country. We know  
3545 that China currently controls a significant portion of EV  
3546 market share and of the global EV supply chain, and that is  
3547 why we must continue to leverage the power of the Federal  
3548 Government to drive innovation, secure supply chains, and  
3549 expand our domestic vehicle manufacturing industry.

3550 So H.R. 4468, in my opinion, is a step in the wrong  
3551 direction. We must ensure the United States is the global  
3552 leader on clean transportation, and not cede that role to  
3553 China, and that is why I will be voting no on H.R. 4468 and  
3554 urge my colleagues to do the same.

3555 And with that, Mr. Chairman, I yield back.

3556 \*Mr. Johnson. The gentleman yields back. The chair now  
3557 recognizes the sponsor of the bill, Mr. Walberg, for five  
3558 minutes.

3559 \*Mr. Walberg. Thank you, Mr. Chairman. I would like to  
3560 strike the last word and speak proudly in favor of my  
3561 legislation, H.R. 4468.

3562 \*Mr. Johnson. The gentleman is recognized for five  
3563 minutes.

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3564           \*Mr. Walberg. H.R. 4468, the Choice in Automobile  
3565 Retail Sales, or CARS Act. Americans need reliable,  
3566 affordable, and functional modes of transportation.

3567           I asked Mr. Goffman, the EPA official who testified at  
3568 the subcommittee legislative hearing, if each of these  
3569 aspects are important. He agreed that all Americans should  
3570 have access to reliable, available, functional, and  
3571 affordable cars and trucks. He did not believe that Federal  
3572 rules should make cars and trucks less available, less  
3573 affordable, and less functional for consumers and their  
3574 needs.

3575           He also admitted the multi-pollutant tailpipe emissions  
3576 rule didn't really factor those things into its calculation,  
3577 even though the facts are that prices are rising. When  
3578 pressed, we would -- he would not commit as to whether this  
3579 rule would raise vehicle purchase prices for consumers or  
3580 make small trucks and SUVs less available.

3581           Finally, he dodged giving an answer when I asked him if  
3582 he would insert a regulatory off-ramp into the light and  
3583 medium-duty rule if new vehicles become more expensive or  
3584 unreliable, auto choice or functionality is limited, or those

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3585 cars and trucks are unavailable to American consumers.

3586 This is unacceptable, forcing a major change in how  
3587 Americans live, particularly in rural districts like mine,  
3588 without taking care to prevent harmful outcomes. EPA may  
3589 have the luxury of avoiding the need to examine life outside  
3590 the Beltway, and it certainly does not stand for election to  
3591 understand -- to answer for its choices, but we do.

3592 I introduced the CARS Act to help prevent the dreams Mr.  
3593 Goffman expressed from becoming a nightmare for Americans.

3594 First, it stops EPA's proposal to require that two-  
3595 thirds of all new cars sold by 2032 be an electric vehicle.  
3596 This is the same rule that the trade group representing car  
3597 manufacturers in the U.S., the Alliance for Automotive  
3598 Innovation, said was "neither reasonable or achievable" in  
3599 the proposed regulation's 10-year timeframe.

3600 Even the UAW is on record claiming the rule  
3601 insufficiently addresses charging infrastructure or  
3602 accounting for the role of cars with internal combustion  
3603 engines, as well as calling for substantial changes to this  
3604 proposed rule that recalibrate its standards to reflect more  
3605 feasible emissions levels that reflect technology that can be



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3606 feasibility [sic] complied with over a longer window.

3607 In Michigan, when the automakers and the unions are both  
3608 raising red flags that something is really wrong, people  
3609 listen, and so should we.

3610 Second, the CARS Act tries to step in and prevent a  
3611 similar problem in the future with the regulations issued  
3612 under this section of the Clean Air Act. Section 3 of H.R.  
3613 4468 prevents EPA from mandating a specific technology, which  
3614 I believe includes drafting a standard in which a way that --  
3615 in such a way that it knows only one technology can meet it.

3616 It also prevents EPA from issuing regulations that limit  
3617 the availability of a particular vehicle engine for the  
3618 ultimate consumer.

3619 My colleagues, EPA's job is to identify emissions and --  
3620 that endanger health or welfare. If EPA intends to set  
3621 emission standards that are economically and technically  
3622 feasible, this provision should not be a problem. However,  
3623 if EPA decides to tune up greenhouse gas and criteria  
3624 pollution standards to create a de facto technology or engine  
3625 mandate, this bill will prevent it.

3626 It is not EPA's job to decide what is best for Americans

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3627 and assume it got it right. On that note I ask for unanimous  
3628 consent in order to enter three letters of support into the  
3629 record from the Consumers Energy Alliance, the National Tank  
3630 Truck Carriers, API, and AFPM.

3631 In advancing the CARS Act, customers and their needs,  
3632 not the government and its political biases, will drive auto  
3633 innovation, secure functionality, and promote affordability.  
3634 And affordability is especially important, considering that  
3635 the Inflation Reduction Act's subsidies disappear as soon as  
3636 the EPA rule becomes fully implemented. Leaving many  
3637 consumers without mobility options yet making these subsidies  
3638 permanent defies fiscal sanity.

3639 I appreciate the subcommittee forwarding this bill to  
3640 the full committee for consideration, and I urge all members  
3641 to support the safety valve that is H.R. 4468. It is good  
3642 for preserving Americans' affordable and reliable mobility,  
3643 promoting Americans domestic automobile economy, and  
3644 protecting Americans national security.

3645 And I yield back.

3646 \*The Chair. [Presiding] The gentleman yields back.

3647 And without objection, the letters will be entered into

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3648 the record.

3649 So ordered.

3650 [The information follows:]

3651

3652 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3653

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3654 \*The Chair. Any further discussion?

3655 The chair recognizes Mr. Tonko.

3656 For what purpose do you seek recognition?

3657 \*Mr. Tonko. Yes, Madam Chair. I move to strike the  
3658 last word.

3659 \*The Chair. You have five minutes.

3660 \*Mr. Tonko. Thank you, Madam Chair. I strongly oppose  
3661 the Choice in Automobile Retail Sales Act.

3662 EPA has an important mission to protect human health and  
3663 the environment, and this bill seeks to prevent EPA from  
3664 fulfilling its responsibilities. It does not seem to matter  
3665 that the proposed rule from EPA will save lives, or that it  
3666 is expected to result in up to an estimated \$1.6 trillion --  
3667 that is trillion, with a T -- in benefits.

3668 EPA has an obligation under the Clean Air Act to protect  
3669 public health by addressing air pollution, including from  
3670 mobile sources. And we know that vehicles covered by this  
3671 proposed rule will account for a large amount of greenhouse  
3672 gas pollution, as well as other dangerous pollutants.

3673 But putting aside those health and environmental  
3674 benefits, we should see this rule as an opportunity to

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3675 further drive technological innovation. Over the last  
3676 several years -- or over the coming several years, the  
3677 vehicle model years covered by EPA's proposed rule, we expect  
3678 the cost of EVs to come down significantly, the performance  
3679 and range of EVs to improve, and consumer demand for EVs to  
3680 continue to grow.

3681 Let's stop looking backwards and stop trying to deny  
3682 Americans the health and the economic benefits of EVs. And  
3683 that includes significant job benefits. Because if we do  
3684 this right, these vehicles will be built here, with U.S.-made  
3685 components and U.S.-made batteries. That is the vision  
3686 imagined by the Infrastructure Investment and Jobs Act, and  
3687 by the Inflation Reduction Act. And by all public reports,  
3688 that is exactly what is beginning to happen with the litany  
3689 of private sector commitments and investments to build new  
3690 manufacturing facilities all across our country.

3691 Rather than prejudge the outcome of a not-yet-finalized  
3692 EPA rulemaking process, we should be working together to help  
3693 overcome any barriers, real or just perceived, that may slow  
3694 down EV adoption. In the meantime, we should not block  
3695 proposed public health protections that will provide more

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3696 than \$1 trillion of benefits to the American people.

3697 With that I urge my colleagues to oppose this bill and,  
3698 Madam Chair, I yield back.

3699 \*The Chair. The gentleman yields back. I would like to  
3700 recognize myself to strike the last word and speak in support  
3701 of H.R. 4468, the CARS Act.

3702 At the Detroit Auto Show, President Biden said he  
3703 believes the U.S. can own the future of the automobile  
3704 market. Unfortunately, by using the EPA to institute  
3705 government mandates and restrictions, he is handing the keys  
3706 of America's auto future to China.

3707 We are offering a different approach with the Cars Act,  
3708 one that encourages free enterprise and innovation. We want  
3709 Americans to continue to have the ability to choose the best  
3710 transportation options for their lives. Opening up mobility  
3711 options has revolutionized people's lives. It is helped lift  
3712 so many out of poverty.

3713 EPA's tailpipe emission standards for light and medium-  
3714 duty vehicles force the auto market toward 100 percent  
3715 battery electric vehicles only. The fact is these cars are  
3716 expensive, and unreliable in many parts of the country where

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3717 infrastructure like charging stations are unavailable. And  
3718 the EVs is a market that China controls, the biggest polluter  
3719 in the world.

3720 We win, the United States of America will win, by  
3721 innovating building here at home and letting people choose  
3722 the cars they want to drive, whether they are the more and  
3723 more fuel-efficient internal combustion engines, hybrids,  
3724 plug-in hybrids, hybrid hydrogen, electric vehicles, or maybe  
3725 something else still to be created. We do not win by  
3726 dictating to people and businesses that there will only be  
3727 one option.

3728 The American way, and why the CARS Act revokes EPA's  
3729 dangerous tailpipe emission standards and ensures that any  
3730 future rulemaking do not mandate the use of specific vehicle  
3731 technology [sic]. We should be proud. I am so proud of our  
3732 auto leadership over the past century, and working to make  
3733 sure that the United States continues to lead for the next  
3734 100 years. We shouldn't be ceding that to China.

3735 After all, we know China isn't focused on reducing  
3736 carbon emissions. Since 2007 their emissions are  
3737 skyrocketing. Again, China is the biggest polluter in the

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3738 world. Today China is building, on average every week, two  
3739 coal-fired plants to meet their goal of electrification.  
3740 China dominates access to critical minerals, controlling 76  
3741 percent of global battery cell production capacity for  
3742 electric vehicles, 75 percent of lithium ion batteries, the  
3743 majority of the processing, the refining capacity for over  
3744 half of the world's lithium, cobalt, graphite. Last quarter  
3745 it was China -- China, ladies and gentleman -- that became  
3746 the largest exporter of new motor vehicles, EVs, in the  
3747 world, surpassing Japan. Forcing Americans to switch to EVs  
3748 is playing into China's scheme.

3749 Chinese electric EV companies are developing a foothold  
3750 in Europe, and are expanding manufacturing now in countries  
3751 like Mexico, right in our backyard.

3752 Now, you all know I have heard some of my Democratic  
3753 colleagues and our current Secretary of Energy state that we  
3754 need to follow China's lead. I don't agree. President Biden  
3755 is implementing top-down government mandates that are going  
3756 to drive up costs, stifle innovation, limit our choices, and  
3757 benefit China.

3758 This bill and others before us offer a better approach,



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3759 one that ensures people have access to affordable, reliable,  
3760 functional means of transportation, and that should be a  
3761 bipartisan goal.

3762         We cannot win the future with China making our cars. We  
3763 cannot win the future with the Federal Government dictating  
3764 our lives or sending our U.S. auto jobs overseas. We need to  
3765 stay focused on the real goal, which is continued American  
3766 leadership in the auto sector, while being good stewards of  
3767 the environment. We have been doing this for decades, and  
3768 the results have been that the United States of America that  
3769 is leading in bringing down lowering carbon emissions while  
3770 also providing more affordable, clean transportation options  
3771 for people.

3772         The CARS Act and other bills ensure we continue to  
3773 build, build on that important legacy. I encourage my  
3774 colleagues on both sides of the aisle to support our  
3775 solutions today, and I yield back.

3776         Is there further discussion?

3777         All right, the gentlelady from Florida. For what  
3778 purpose do you seek recognition?

3779         \*Ms. Castor. To speak in opposition to this pro-China

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3780 bill.

3781 \*The Chair. Ms. Castor is recognized for five minutes.

3782 \*Ms. Castor. Thank you, Madam Chair.

3783 On the CARS Act, if you want to compete with China in  
3784 automaking, you would not do this. You would not support  
3785 this legislation or any of the bills being offered by my GOP  
3786 colleagues today. And it is very disappointing to see  
3787 another Republican pro-China bill.

3788 It would be better policy, a more pro-America, more  
3789 patriotic policy, to strengthen American industry and  
3790 American ingenuity to compete with China, rather than what  
3791 their approach is, just to throw up their hands and say,  
3792 okay, we can't do anything, we will cede it all to China.

3793 The global demand for electric vehicles is rising. And  
3794 if we don't compete, who will benefit? China.

3795 If we step back, who ends up controlling all the supply  
3796 chains? China.

3797 You cannot ignore the fact that China now controls a lot  
3798 of the existing supply chains for electric vehicles. They  
3799 want to put our autoworkers and our automobile companies out  
3800 of business. But rather than ceding more ground, the answer

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3801 is to invest in America, to invest in our competitiveness.  
3802 In fact, that is the aim of the Inflation Reduction Act.  
3803 That is what is going on across America right now. We are  
3804 investing in domestic battery manufacturing, creating jobs  
3805 here, and reducing our dependence on foreign supplies.

3806       Republicans are in a defensive crouch. They are  
3807 stepping away through these bills today. They are stepping  
3808 away from electric vehicle technology, and they are willing  
3809 to cede the dominance to China in this space. Republicans --  
3810 and let's just kind of peel back the curtain into why that is  
3811 happening, because it doesn't make sense, does it?

3812       But they are going down this road of scare tactics to --  
3813 kind of deliberately misleading the American people about  
3814 electric vehicles in order to prop up big oil corporations.  
3815 See, electric vehicles are cheaper to own. They are more  
3816 environmentally sustainable. They deliver significant cost  
3817 savings to American families. They decrease fueling costs by  
3818 50 percent or more. And overall, they are about 25 percent  
3819 less expensive than regular cars.

3820       Additionally, EV prices have declined by more than  
3821 \$5,600 over the past year, and they are going to go down,

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3822 down, down as we ramp up production. Thanks to incentives in  
3823 the Inflation Reduction Act, electric passenger cars and  
3824 light-duty trucks are expected to reach cost parity with  
3825 gasoline-powered vehicles in the next two years. That is  
3826 years sooner than anyone predicted. The technology is going  
3827 to get better and better, just like what happened with gas-  
3828 powered vehicles over time. But that is because we  
3829 incentivize that. We incentivized fuel economy. We invested  
3830 in innovation and research and development, and that paid  
3831 dividends for families across this country.

3832 I know that electric vehicles are a threat to the  
3833 profits of oil and gas companies. But the upside to American  
3834 families, to workers, to businesses is simply too great to  
3835 ignore. The benefits to their pocketbooks, to our industrial  
3836 base, to our health, and to a livable future for our kids and  
3837 grandkids cannot be ignored.

3838 This bill hurts American progress. It hurts job  
3839 creation in America. It hurts workers. It hurts our  
3840 industrial base. It hurts small business owners. So I urge  
3841 my colleagues for all of those reasons to oppose this bill  
3842 today and join us in standing up for America and the can-do

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3843 spirit of innovation and competitiveness.

3844 Thank you, I yield back.

3845 \*The Chair. The gentlelady yields back. Does anyone  
3846 seek recognition?

3847 The chair recognizes Mr. Carter for five minutes on the  
3848 CARS Act.

3849 \*Mr. Carter. Madam Chair, I move to strike the last  
3850 word in support of this bill.

3851 \*The Chair. The gentleman is recognized for five  
3852 minutes.

3853 \*Mr. Carter. Madam Chair, I am not opposed to electric  
3854 vehicles. The single largest economic development project in  
3855 the history of the State of Georgia is underway right now in  
3856 my district that I have the honor and privilege of  
3857 representing. It is by Hyundai, Hyundai Motor Company. They  
3858 are building electric vehicles. We are excited to have them,  
3859 a \$5.5 billion investment. It is going to employ over 8,100  
3860 people, and probably that many more people in ancillary  
3861 businesses. We are excited about it. They are incredible  
3862 machines. Lots of cool features and advantages.

3863 However, I am opposed to the idea that we should be more

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3864 or less forcing Americans into these vehicles only. What is  
3865 more, I am also against the notion that electric vehicles  
3866 will somehow save our emission problems.

3867         The truth is that we don't know the true picture of  
3868 carbon dioxide emissions associated with EVs. All the claims  
3869 are either estimates or guesses. The processes behind mining  
3870 and processing the materials required to produce these  
3871 vehicles are very energy intensive and for -- certainly not  
3872 emission free at the moment. A recent Manhattan Institute  
3873 report examined just this, and emphasized that we have no  
3874 real idea of these emissions, especially if we expand EV  
3875 production dramatically. In that report they point out that  
3876 the global mining industry today already accounts for about  
3877 40 percent of all industrial energy use before a significant  
3878 expansion. That will have to happen as high-quality deposits  
3879 become rarer to find.

3880         By the way, those processes are largely not happening  
3881 here in the U.S., where I am confident we could do a decent  
3882 job, despite my colleagues' pleas to actually do that.

3883         Not only do you have to factor in these emissions that,  
3884 again, we don't have a full picture of, but you also have to

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3885 factor in the emissions involved in transporting materials  
3886 all across the globe. I fear that accounting for these  
3887 either eliminates those benefits or may even add more  
3888 emissions.

3889 What we are hearing from the other side is that, as long  
3890 as it isn't here, it doesn't count. We are simply going to  
3891 shift this burden to other countries. They can deal with air  
3892 quality issues which are already worse than the U.S. In  
3893 fact, the mining and processing power by coal in China is  
3894 putting particulates in the air that travel all the way to  
3895 the U.S. Shutting down -- shutting that down in the U.S.  
3896 will not end that pollution, and will hurt us. Is that what  
3897 they call environmental justice?

3898 The research firm ICF found that if crude oil from the  
3899 Gulf of Mexico were to displace crude oil production outside  
3900 of the U.S. and Canada, global emissions could drop by 50  
3901 percent. That seems like a reasonable path to pursue, but  
3902 the Administration is decidedly not doing that.

3903 Further, the EPA has said that U.S. air quality and  
3904 emissions continue to improve as we drive more miles, consume  
3905 more energy, and grow our economy. My colleagues will say

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3906 that this will improve public health because of their narrow  
3907 idea that the only health issues associated with this is air  
3908 quality. That is misguided.

3909 As we discussed in the subcommittee markup, health care  
3910 access is a significant factor. Portions of my district are  
3911 incredibly rural and simply not practical for EVs. My  
3912 constituents deserve access to affordable vehicles that they  
3913 can depend on. I understand that my colleagues across the  
3914 aisle are big fans of EVs, as am I. I get it. They are very  
3915 high tech, and they can be incredibly convenient in the right  
3916 circumstances, but not for everyone, and especially if you  
3917 make less than six figures. And a lot of people in my  
3918 district do make less than six figures.

3919 If people want an EV, they can make that choice. In  
3920 fact, they already have a number of incentives pushing them  
3921 that way as it is today. There are Federal tax credits to  
3922 incentivize purchasing an EV, and many states have other  
3923 incentives on top of that, and they are working. Otherwise,  
3924 I don't think you see what is happening in Georgia. My home  
3925 state of Georgia is positioning itself to be the electric  
3926 mobility capital of the U.S., yet Georgia has not and will



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3927 not propose tailpipe rules like California, or similar  
3928 policies to more or less mandate EVs.

3929 We don't need any more market-distorting policies that  
3930 cost taxpayers money and opportunity. I urge all my  
3931 colleagues to support these bills that allow for consumer  
3932 choice, consumer choice.

3933 Thank you, Madam Chair, and I yield back.

3934 \*The Chair. The gentleman yields back. Does anyone  
3935 seek to be recognized on the bill?

3936 You are done?

3937 \*Mr. Pallone. No, we have amendments.

3938 \*The Chair. Okay. The chair recognizes the gentleman  
3939 from -- Mr. Duncan for five minutes to speak on the  
3940 underlying --

3941 \*Mr. Duncan. South Carolina.

3942 \*The Chair. South Carolina.

3943 \*Mr. Duncan. Thank you, Madam Chair.

3944 \*The Chair. I am sorry.

3945 \*Mr. Duncan. China, China, China. Republicans on this  
3946 committee since January have done more to push back against  
3947 China on so many topics that the gentlelady from Florida is

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3948 just so misguided when she is talking about Republicans and  
3949 China.

3950 I support Made in America and Buy American Made. We  
3951 have a robust automotive sector in this country, and it will  
3952 include EVs if the market is there.

3953 I align myself with comments from Mr. Carter. I have a  
3954 rural district. I have a Ford dealership that is forced to  
3955 put in charging stations at his dealership. He has EVs on  
3956 the lot he can't sell because they just don't work in rural  
3957 America. Dealers need to sell units. They were forced by  
3958 the manufacturer to put in charging stations after they were  
3959 forced by the manufacturer to improve their facade and do a  
3960 lot of work on their showrooms. There has got to be a return  
3961 on investment. And when the EVs are sitting there unsold,  
3962 there is none.

3963 You talked about pushing incentives to incentivize the  
3964 industry. The government spends so much money now we are,  
3965 what, \$34 trillion in debt today? I mean, when is enough  
3966 spending enough to incentivize people to purchase something  
3967 or a manufacturing company to manufacturing something when  
3968 the market isn't there?

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3969           You want to talk about China? China controls most of  
3970 the rare earths in the world. They own the mining rights,  
3971 and they do it in such an environmentally insensitive way.  
3972 If you believe in the environment, you should also believe in  
3973 the environmental practices that American mining companies do  
3974 in a much more environmentally sensitive and cleaner way, and  
3975 we don't do it with child labor because we have labor  
3976 standards. China doesn't, and they are using child labor in  
3977 Africa to mine this lithium that is so toxic.

3978           And guess what? They are not using EV articulating  
3979 loaders. They are using diesel-powered loaders to move that  
3980 earth.

3981           So China. They are going to provide a lot of electric  
3982 vehicles in this country. But the technology that exists  
3983 today -- and I have read many articles on this -- gives the  
3984 Chinese companies and the Chinese Communist Party the ability  
3985 to spy on Americans, even if it is sitting in your driveway.

3986           We push back against China's spying with TikTok. We see  
3987 where Chinese companies are heavily involved in the  
3988 automotive industry and battery production in places like  
3989 Michigan. The Chinese Communist Party seems to be the one

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3990 that is pushing us toward electrification. We know Russia  
3991 gave money to environmental groups to go after the fossil  
3992 fuel industry. Why? Because they don't want us to be energy  
3993 dominant and energy independent. They want to weaken  
3994 America. I believe that is the same goal of the Chinese  
3995 Communist Party through this push.

3996 So I am not going to sit here, and sit idly by, and not  
3997 respond when we have pushed against the Chinese influence in  
3998 America, against Chinese mining practices that are  
3999 environmentally unsound, against this push toward  
4000 electrification where the grid can't support it, where  
4001 generation isn't there. Made in America, Buy American.

4002 The American automotive sector needs to be strong  
4003 because they also produce a lot of vital components for our  
4004 United States military, and they did during World War II.  
4005 And if we have a circumstance in the future, they will step  
4006 up and build the tanks and the trucks and the airplanes and  
4007 the other things we need, just like Henry Ford did during  
4008 World War II. But if they don't exist anymore because we  
4009 have moved toward electric vehicles, there is not going to be  
4010 an industry to help us defend this country.

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4011           A robust, strong American manufacturing sector is  
4012 necessary. And another thing that is necessary in my 38  
4013 seconds is a robust and strong American energy sector, where  
4014 we use the resources that we are given in this country. We  
4015 are blessed with natural gas and oil, but we are also blessed  
4016 with the technology and the brainpower to do the renewables,  
4017 as well. It is all inclusive. And Republicans on this side  
4018 of the aisle believe in renewables, and we believe in  
4019 generation from all sources to meet the power demands that  
4020 are necessary to fuel your electric vehicles, which we  
4021 acknowledge are a part and will be a part of the fleet. But  
4022 let the market do that. Let the consumer do that. And that  
4023 is what these bills do.

4024           And I yield back.

4025           \*The Chair. The gentleman yields back. Is there  
4026 further discussion?

4027           \*Mr. Pallone. I think we are tired.

4028           \*The Chair. The chair recognizes the lady from Arizona,  
4029 Mrs. Lesko, for five minutes.

4030           \*Mrs. Lesko. Thank you, Madam Chair. I am adamantly in  
4031 support of this bill, H.R. 4468.

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4032           The bill stops the Biden Administration from  
4033   implementing its radical rule that will force two-thirds of  
4034   all new passenger vehicles to be electric by 2032. That is  
4035   insane. My constituents do not want to be forced by the  
4036   government to purchase an electric vehicle. My constituents  
4037   want freedom of choice. That is America. We don't live in a  
4038   communist country yet, do we?

4039           \*Voice. Not yet.

4040           \*Mrs. Lesko. My constituents will purchase an electric  
4041   vehicle if they want to, if it works for them, not because  
4042   President Biden tells them they have to.

4043           I was just in a Natural Resources field hearing in  
4044   Phoenix, and there we had testimony about critical minerals,  
4045   and how electric vehicles need four times as much copper as a  
4046   traditional car, how there is so much lithium that is needed  
4047   for the electric vehicle batteries. And guess where this  
4048   stuff is processed? China. China.

4049           And you know what President Biden is doing when we need  
4050   all these new critical minerals? He is shutting down U.S.  
4051   mines. In Arizona we have Resolution Copper mine. It could  
4052   produce 25 percent of all the copper demand in the United

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4053 States. And what did he do? Two to three months into his  
4054 presidency, he pulled back an environmental permit review,  
4055 and now the mine is just sitting there when it could be  
4056 helping the United States. He did the same thing in  
4057 Minnesota.

4058 In addition, when we are adding new electric vehicles  
4059 onto the grid, and we are mandating and enforcing it by a  
4060 certain time, the grid is not going to be able to keep up  
4061 with the demand. And so I don't want Arizona to be like  
4062 California, where they are mandating electric vehicles, and  
4063 then the government texts them, said, "Oh, don't charge your  
4064 electric vehicle today.'" That is insane.

4065 I support this bill because I support consumer choice.  
4066 I am opposed to Biden forcing my constituents to buy an  
4067 electric car against their will. I support this bill because  
4068 I want reliable, affordable electricity. I want to keep the  
4069 lights on. I don't want the government telling them that  
4070 they can't charge their electric vehicle after they forced  
4071 them to buy it. I don't want the U.S. to be more reliant on  
4072 China. I support Americans, not China. I support this bill  
4073 and I yield back.

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4074           \*The Chair. I am just waiting, just waiting for some  
4075 people to get done.

4076           The gentlelady yields back. The chair recognizes for  
4077 five minutes Mr. Veasey.

4078           \*Mr. Veasey. Thank you, Madam Chair. It has been  
4079 interesting, listening to this discussion, and it is good  
4080 that we are having this discussion.

4081           Obviously, as the world continues to look for  
4082 alternatives -- and not just the U.S. and -- the world. And  
4083 I think that, when we have this discussion, that we shouldn't  
4084 be looking so inward. And that was one of the things that  
4085 worries me.

4086           We have heard China mentioned a lot in this discussion  
4087 -- and we should be mentioning China a lot in this discussion  
4088 -- about, as electric vehicles sales surged worldwide last  
4089 year, about a 55 percent increase, it was China that led the  
4090 way. And I know that these vehicles are certainly more  
4091 popular in some parts of our country than they are in certain  
4092 parts of other country [sic], and there are good reasons why  
4093 people may -- an electric vehicle may not be right for them  
4094 at this time.



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4095           But I think that, regardless of where one may fall on  
4096 this discussion, that we really need to look for a way how we  
4097 can move this discussion away from the sort of black-and-  
4098 white issue and the black-and-white way that we discuss it,  
4099 and really look at it as the very complex matter that it is,  
4100 because I can tell you that England, France, the rest of  
4101 Europe, India -- which is a huge, huge growing market -- we  
4102 do not want them looking 100 percent towards China for this  
4103 product that is going to roll more and more, not just on  
4104 American roads, but roads around the world. We want to make  
4105 sure that the rest of the world can look towards the United  
4106 States of America, as they have for so many other  
4107 technologies, whether it is defense or whether it is just for  
4108 everyday common use, like a vehicle.

4109           And we really do need to figure out some sort of way how  
4110 we can get the discussion to move into that territory,  
4111 because if not they will supply the rest of the world and it  
4112 doesn't matter. You can scare them with all the Chinese are  
4113 going to put devices in your cars to be able to monitor you,  
4114 and be able to gather biometrics, and things like that about  
4115 you in these vehicles that they sell, and the Chinese -- and

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4116 the Communist Chinese Party definitely would do things like  
4117 that. But I can tell you that people in Europe aren't going  
4118 to care. People in India aren't going to care. And the Big  
4119 Three will no longer be the leaders when it comes to  
4120 supplying cars for the world. It will be -- the Chinese will  
4121 have whatever the version of the Big Three look like if we  
4122 don't take this seriously.

4123           And so we need to figure out, Madam Chair, how we can  
4124 have -- start having some real serious discussions about  
4125 this. And again, when it comes to this particular product,  
4126 instead of being so inward, we really do need to look out.  
4127 Thank you very much.

4128           \*The Chair. The gentleman yields back. The chair --  
4129 for what purpose does Mr. Crenshaw seek recognition?

4130           \*Mr. Crenshaw. Madam Chairman, I move to strike the  
4131 last word.

4132           \*The Chair. You are recognized for five minutes.

4133           \*Mr. Crenshaw. Thank you, Madam Chairwoman. Thank you  
4134 for holding this markup.

4135           So we look at these bills, we look at all these  
4136 amendments, and we are all addressing the same question:

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4137 Should we force a rapid transition away from traditional  
4138 combustion engines and toward electric vehicles? That is the  
4139 question.

4140       Okay, so it seems that the mature and responsible way to  
4141 answer that question would be to collect the relevant facts,  
4142 and then apply a reasonable cost benefit analysis to the  
4143 question. So let's actually do that.

4144       The claim from my Democrat colleagues in the EPA is that  
4145 a rapid transition to EVs will be nothing but rainbows and  
4146 sunshine, with all the benefits and no downside whatsoever.  
4147 I encourage my colleagues to write a fiction fantasy novel  
4148 about that scenario, because that is exactly where it  
4149 belongs.

4150       In reality, the data shows that they are pretty much  
4151 wrong on every account. The facts demonstrate that there are  
4152 massive costs and very little benefits. Vehicles will be  
4153 less affordable and less capable. That is a fact. Our  
4154 reliance on China would increase, not decrease. That is a  
4155 fact. And actually, here is the kicker. Global carbon  
4156 emissions would increase, too, especially in the short term.  
4157 Here is why.

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4158           So the claim is that this radical rule from EPA is  
4159 necessary to reduce the twin crises of global climate change  
4160 and air pollution. Is that true? The fact is there is  
4161 little evidence that the mass adoption of electric vehicles  
4162 will result in significantly less global greenhouse gas  
4163 emissions. In fact, the opposite is probably true, and here  
4164 is why.

4165           Every single battery for an electric vehicle requires  
4166 the mining and processing of roughly 500,000 pounds of  
4167 materials. It requires significantly more energy-intensive  
4168 metals like aluminum than traditional combustion engine  
4169 vehicles do. And according to the manufacturers themselves,  
4170 the manufacturing of these vehicles generate 70 percent more  
4171 emissions than traditional internal combustion engine  
4172 vehicles. That means they need to drive about 70,000 miles  
4173 or more just to break even on the emissions side.

4174           So this means, at least in the short term -- and it is  
4175 not that short, because 70,000 miles is a really long way to  
4176 go, especially when you pretty much only use these things in  
4177 urban environments -- that means that, just according to the  
4178 math and the facts, mass adoption of EVs will increase global

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4179 carbon emissions. Full stop. It is a fact. You can't argue  
4180 with it. It is just the math.

4181 It is also worth noting that internal combustion engines  
4182 are continuing to increase in their fuel efficiency over  
4183 time. And you don't have to take my word for that, just take  
4184 the IEA's word for that because, according to the  
4185 International Energy Agency, increases in automobile fuel  
4186 efficiency will displace at least 300 percent more petroleum  
4187 than the addition of 300 million EVs by 2040.

4188 It was said earlier that EVs are a threat to oil and gas  
4189 profits. Well, this fact disproves that. Facts matter. We  
4190 aren't worried about the oil and gas industry here, we are  
4191 worried about our constituents.

4192 If you want to be serious about addressing global  
4193 emissions, you have got to focus on real solutions:  
4194 streamline nuclear permitting; encourage more export of  
4195 clean, U.S. LNG, which displaces foreign, dirty coal; take  
4196 steps to claw back global mineral mining and processing  
4197 industries from China, bring it here, where we actually do  
4198 care about the environment. You don't deepen our dependence  
4199 on importing more critical minerals and products from them by

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4200 subsidizing the very products they specialize in.

4201           Now, there was this bizarre argument made earlier that  
4202 this new restrictive rule will make it easier to compete with  
4203 China. That has never been true for any regulation, it won't  
4204 be true for this one. This claim that demand is wildly  
4205 increasing for electric vehicles, not true. One percent of  
4206 cars are EVs; four-and-a-half percent of new vehicle sales  
4207 are EVs. There is no demand boom. Let's just stop it. And  
4208 if there was, then why did you need to propose all these  
4209 rules to make people buy them?

4210           So the other argument that is used to justify this  
4211 radical new rule is that we need to be protected from air  
4212 pollution, there is an air pollution crisis. I will tell you  
4213 what, there is really good news. We already have laws to  
4214 address that. And here is some more good news. According to  
4215 the EPA's own website and their own data, air pollution has  
4216 decreased nearly 80 percent in the last 50 years. There is  
4217 no crisis in air quality in America. And even with the  
4218 problems we have, it doesn't even come close to justifying  
4219 these radical changes and the immense costs to our voters.

4220           And these costs are real. EVs have significantly less

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4221 range than a normal car. They are significantly more  
4222 expensive, on average \$20,000. The price has actually only  
4223 gone up over the last 10 years, even with scaling them out.

4224 And I just don't understand why we want to rush to be  
4225 dependent on China, who is -- actually has 85 percent of the  
4226 processing capacity for the critical minerals needed for  
4227 these vehicles. And don't even -- that doesn't even get to  
4228 the human rights abuses associated with how they mine and  
4229 process those materials.

4230 So this is about cost and benefits, folks. This isn't  
4231 about emotions, or supporting one industry over another.  
4232 This might surprise you, but we don't really care about that.  
4233 We care about the livelihood of our constituents, and we care  
4234 about proper decision-making and proper thinking when  
4235 addressing a problem.

4236 And I yield back. Thank you.

4237 \*The Chair. The gentleman yields back. Is there  
4238 further discussion?

4239 \*Mr. Pallone. Darren.

4240 \*The Chair. I am sorry, who?

4241 \*Mr. Pallone. Darren Soto.

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4242 \*The Chair. Oh, the chair recognizes Mr. Soto.

4243 For what purpose do you seek recognition?

4244 \*Mr. Soto. To strike the last word.

4245 \*The Chair. The gentleman is recognized for five  
4246 minutes.

4247 \*Mr. Soto. Thank you, Madam Chair.

4248 You know, we are seeing one of the hottest summers on  
4249 record. It has particularly been troubling in Florida, where  
4250 the ocean is over 100 degrees down near the Florida Keys, and  
4251 hurting the great Florida reef, among many other issues that  
4252 we have worked on in a bipartisan way.

4253 It is important to recognize that, after the Inflation  
4254 Reduction Act passed, America is now in the position to lead  
4255 the way for an electric vehicle revolution, and it is about  
4256 time because of the effects of climate change.

4257 We also still are the top energy producer in the world.  
4258 We produce so much energy here in the United States that we  
4259 actually export it.

4260 But I want to talk more about the long-term effects of  
4261 what we are seeing. There is a tripling of new factory  
4262 construction in the nation right now, as we speak. President



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4263 Biden has helped us triple the number of factories that are  
4264 being built. We heard a little bit about it. There is a  
4265 couple in my district. We heard Mr. Carter talk about the  
4266 new factory in his district for electric vehicles. We are  
4267 making clean energy products in my district. We are seeing  
4268 both in blue and, yes, a lot of red districts new  
4269 manufacturing happening at a triple rate.

4270           And just so we are clear, it is the Inflation Reduction  
4271 Act, the CHIPS Act, the infrastructure law that did that.  
4272 Some of those were bipartisan, and we appreciate that help,  
4273 and it is making sure that private capital is coming in at an  
4274 amazing rate. And so as we look at Bidenomics and what it is  
4275 doing to power, record-low employment -- unemployment,  
4276 inflation dropping to three percent, and this biggest surge  
4277 in new construction, many jobs that don't require a college  
4278 degree so that families can put food on the table, it is a  
4279 really amazing story that we are seeing over these quarters.

4280           And I hear a lot of debates here today, and I know this  
4281 stuff gets us all emotional, but I do see some common ground  
4282 that we can work on, particularly in the area of critical  
4283 minerals, rare earth minerals.

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4284 I got to travel to Japan with Representative Ruiz and  
4285 heard more than one time about the lithium deposits in his  
4286 district in the Salton Sea, among many other things that we  
4287 worked on together. But that is just one example, and I am  
4288 sure there is others in your districts, as well, of the rare  
4289 earth minerals that are around the nation.

4290 Obviously, it starts with a lot of dirt and raw  
4291 materials, and we have to process it down. But I really  
4292 think the committee should be focusing some of its effort on  
4293 a bipartisan way to help really address the issues we both  
4294 recognize in order for the Inflation Reduction Act to meet  
4295 its full potential. We are going to have to work on these  
4296 rare earth mineral issues.

4297 So while I don't want us to see us pull back from an  
4298 increasing number of electric cars, since I know it is  
4299 important to our dominance in the auto industry, it is  
4300 important for us to be able to be dominant in the 21st  
4301 century economy and to help combat climate change, I do think  
4302 there are some things we agree on that we could do together.

4303 And with that I yield back.

4304 \*Ms. Barragan. Will the gentleman yield?

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4305           \*Mr. Soto. Yes.

4306           \*Ms. Barragan. I just wanted to take a moment to  
4307 correct the record, because it is really hard to sit here and  
4308 just to keep hearing the false information, and to just let  
4309 it go totally -- so there is just one fact I am going to get  
4310 on the record. I am not going to go through all of them,  
4311 because there is a lot of things that were said that were  
4312 inaccurate.

4313           One of the things that is said was that EVs are not  
4314 cleaner, it takes 70,000 miles, and there was no way that  
4315 there was anything out there that said otherwise. So let me  
4316 just make sure on the record -- the Argonne National  
4317 Laboratory analysis has shown that an EV is cleaner than gas  
4318 after the first 13,000 miles of driving. It is even less on  
4319 100 percent clean energy grid, as low as 8,000 miles. It is  
4320 important to note that also -- and California's electric grid  
4321 is cleaner than most, and that the state has 90 percent clean  
4322 energy target by 2035.

4323           And just so we know where this is coming from, since it  
4324 doesn't exist out there, it is a Reuters July 7, 2021 -- has  
4325 an article about this.

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4326           So I understand there could be differences of opinion.  
4327   But again, let's have a debate honestly. Let's not come with  
4328   inaccurate information that we are telling people as though  
4329   it is the truth. That is the most frustrating part of these  
4330   hearings. Let's just talk about facts, okay?

4331           And I don't want to hear anybody lecturing me about  
4332   freedom of choice.

4333           And with that I yield back.

4334           \*Mr. Johnson. [Presiding] The gentlelady yields back.  
4335   Are there other members wishing to speak on the bill?

4336           I have got -- the chair recognizes Mr. Pfluger from  
4337   Texas.

4338           \*Mr. Pfluger. Thank you Mr. Chairman. I move to strike  
4339   the last word and speak in support of this.

4340           \*Mr. Johnson. The gentleman is recognized for five  
4341   minutes.

4342           \*Mr. Pfluger. It was earlier said that -- it was  
4343   accused from my colleagues on the other side of the aisle  
4344   that Republicans are deliberately misleading the American  
4345   public. I think that is kind of rich, given the news events  
4346   in the last 24 hours.

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4347           Republicans are standing in the gap of reality.  
4348   Military doctrine has a couple of criteria for decision-  
4349   making, and that criteria for a course of action looks at  
4350   whether a plan is feasible, is it suitable, is it acceptable,  
4351   does it complete, just to name a couple of the criteria.  
4352   This rapid, unrealistic, mandated transition to electric  
4353   vehicles is none of those. It doesn't check off a single one  
4354   of those.

4355           What is the problem we are trying to solve? Why haven't  
4356   the Administration officials come to this body that is  
4357   responsible for oversight in Article I of the Constitution,  
4358   and provided any justification according to those criteria or  
4359   any other criteria that they would like to show us? Instead,  
4360   when the EPA and other agencies come, they appear to be the  
4361   ones misleading the American public because they don't have a  
4362   plan.

4363           And what we just heard about facts, I would join my  
4364   colleagues on the other side of the aisle to hear the facts.  
4365   Unfortunately, the Administration is not bringing those facts  
4366   to the table.

4367           I proudly support Representative Walberg's legislation

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4368 to prohibit the EPA from continuing their weaponization,  
4369 regulatory weaponization, and in this case from finalizing,  
4370 implementing, or enforcing the proposal for light and medium-  
4371 duty vehicles.

4372         During a recent hearing with Mr. Goffman from the EPA,  
4373 when he testified, it was clear that the EPA had abused its  
4374 authority while not seriously considering the impacts of the  
4375 rule. The ability for automakers and manufacturers to  
4376 seriously consider the impacts of the rule and -- as well as  
4377 not considering where the necessary energy generation will  
4378 come from. That is the biggest question that we have here.

4379         So when my colleagues on the other side of the aisle say  
4380 that Republicans are deliberately misleading the American  
4381 public, give me a break. We are the only ones asking the  
4382 questions that every single normal American is going, "Where  
4383 is the electricity going to come from?"` `

4384         In fact, let me just state -- I know we are all sitting  
4385 here tired of this debate and, you know, we want to move on,  
4386 but you know what? This is important. My constituents sent  
4387 me up here to stand in this very gap. And when they hear the  
4388 Secretary of Energy say that she would like to electrify the

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4389 military and the fleet vehicles in the military, they have  
4390 some serious concerns about our national security.

4391 Secretary Granholm doubled down on that. I would invite  
4392 her to a flight line in Anchorage, Alaska. I would invite  
4393 her to go to a deployed location like Al Dhafra in the Middle  
4394 East to see a missile truck, to go out on that flight line  
4395 and see the impacts of her statement saying that she wants to  
4396 electrify military vehicles, not to mention the fact that we  
4397 are talking about 150,000 -- 150 million excuse me --  
4398 vehicles in this country that she is suggesting and other  
4399 agencies are suggesting that we should mandate. No, we are  
4400 going to continue to stand in the gap.

4401 Show us the facts. The Administration has failed to do  
4402 that. We are almost eight months in to this Congress, and  
4403 not a single official has come over here and showed us any  
4404 math, science, or data to suggest that anything in their plan  
4405 is feasible, suitable, acceptable, and -- much less complete.

4406 Mr. Chairman, I proudly support this legislation. It is  
4407 exceedingly important for all the reasons that our colleagues  
4408 on this side of the aisle have said, and I urge us to vote  
4409 with a reality-based mindset. While we can innovate, let's

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4410 be realistic.

4411 I yield back.

4412 \*Mr. Crenshaw. Will the gentleman yield?

4413 \*Mr. Pfluger. I would gladly yield.

4414 \*Mr. Crenshaw. Over here, Crenshaw, Texas. The guy  
4415 from Texas.

4416 \*Mr. Pfluger. My colleague from Crenshaw -- from Texas.

4417 \*Mr. Crenshaw. I thank the gentleman, and I want to  
4418 respond.

4419 I like debating actual studies. That is exactly what we  
4420 should be doing, so I appreciate my colleague on the other  
4421 side doing it. But the problem with that study that was  
4422 mentioned is it does not take into account supply chains.  
4423 That is the problem. It only looks at the vehicle itself.  
4424 It looks at like-sized vehicles, and it looks at different  
4425 scenarios based on what kind of power there is to the grid.  
4426 It does not look at the supply chain.

4427 I like the manufacturers' studies because the  
4428 manufacturers want to sell those EVs, so their incentives are  
4429 aligned there. They came up with more accurate studies based  
4430 on the entire supply chain.



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4431 And I yield back.

4432 \*Mr. Pfluger. I yield back, Chairman.

4433 \*Mr. Johnson. The gentleman yields back. Do others  
4434 wish to speak on the bill?

4435 The chair now recognizes Mr. Hudson for five minutes.

4436 [Pause.]

4437 \*Mr. Johnson. Okay. The chair recognizes that votes  
4438 have been called. We are going to recess and come back after  
4439 votes.

4440 The subcommittee will -- or the committee will stand in  
4441 recess.

4442 [Recess.]

4443 \*The Chair. [Presiding] The committee comes to order.

4444 We are considering H.R. 4468. We will continue  
4445 discussion on the underlying bill. Who seeks recognition?

4446 Mr. Fulcher, for what purpose?

4447 \*Mr. Fulcher. To speak on behalf of the bill, Madam  
4448 Chair.

4449 \*The Chair. You are recognized for five minutes.

4450 \*Mr. Fulcher. Thank you, Madam Chair. It is late, and  
4451 we have been going through this for some time now.

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4452           But it is not okay for the Environmental Protection  
4453 Agency to implement a rule -- that is a rule, and that is an  
4454 agency implementing a rule -- that essentially mandates  
4455 certain types of technologies. Non-elected agency directly  
4456 via rule having a major economic impact decision. I support  
4457 H.R. 4468, the CARS Act, because it gets rid of that rule.

4458           Now we are painfully aware that this Administration is  
4459 pushing electronic vehicles. It doesn't matter that -- if  
4460 they are not practical. It doesn't matter if it makes us  
4461 more dependent on our enemies. It doesn't matter if it is  
4462 more expensive. It doesn't matter if there is drastically  
4463 negative environmental impacts as a function of that. We are  
4464 painfully aware where this Administration is trying to go.

4465           And as has been explained by my colleagues in very good  
4466 terms, American people don't want it. From a functionality  
4467 standpoint, it simply is not practical in many parts of the  
4468 country for many purposes. It undercuts a very incredible,  
4469 necessary industry: the fossil fuel industry, combustion  
4470 engines. And it is not okay for an agency, via rule, to  
4471 mandate certain types of technology.

4472           The right answer is the market. The right answer is

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4473 choice, functionality, allowing the American people to choose  
4474 what they want. Any time that the government has to come in  
4475 and prop up an industry, which is exactly what is happening  
4476 with this, and override market conditions, override people's  
4477 desires, this is going to wind up going the wrong way.

4478 Madam Chair, I support H.R. 4468, the CARS Act, and I  
4479 yield the balance of my time. Thank you, Madam Chair.

4480 \*The Chair. The gentleman yields back. Is there  
4481 further discussion?

4482 Are there any amendments?

4483 \*Mr. Pallone. Clarke has an amendment.

4484 \*The Chair. The chair recognizes Ms. Clarke for the  
4485 purposes of offering an amendment.

4486 \*Ms. Clarke. Madam Chair, I have an amendment at the  
4487 desk labeled SCD03.

4488 \*The Chair. The clerk will report.

4489 \*The Clerk. Amendment to H.R. 4468, offered by Ms.  
4490 Clarke. Page 3, after line 12, insert the following.

4491 Section 4, Certification. This act and the amendments made  
4492 by this act may not take effect until the date on which the  
4493 administrator of the Environmental Protection Agency

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4494 certifies that the implementation of this act --

4495           \*The Chair. Without objection, the first reading of the  
4496 bill is dispensed with, and the bill will be open for  
4497 amendment at any point.

4498           I am sorry. Without objection, we are -- the reading of  
4499 the amendment is dispensed with.

4500           [The amendment of Ms. Clarke follows:]

4501

4502           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

4503

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4504           \*The Chair. And Ms. Clarke is recognized for five  
4505 minutes in support of her amendment.

4506           \*Ms. Clarke. Thank you, Madam Chair. My amendment  
4507 would simply delay implementation of this bill until the EPA  
4508 administrator certifies that it will not harm public health.

4509           As a reminder to my colleagues, the EPA is required  
4510 under the Clean Air Act to address air pollution that  
4511 endangers public health. Setting tailpipe emission standards  
4512 is one of the clearest and most effective ways to reduce  
4513 harmful pollutants in the transportation sector. Passenger  
4514 vehicles alone produce more than 1 million tons of nitrogen  
4515 oxide emissions and over 33,000 tons of particulate matter  
4516 pollution every year. These pollutants are linked with tens  
4517 of thousands of preventable deaths, millions of asthma  
4518 attacks, and countless cases of heart disease, stroke, and  
4519 diabetes. There is great urgency in reducing these harmful  
4520 emissions. Reducing these emissions can be life and death in  
4521 communities disproportionately burdened by environmental  
4522 pollution.

4523           This bill represents -- unfortunately, this bill  
4524 represents a reckless attempt at kneecapping efforts to save

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4525 lives and move progress toward a healthy future. And many of  
4526 my colleagues support the EPA's efforts to finalize strong  
4527 vehicle emission standards. In fact, two weeks ago I sent a  
4528 letter with Representative Matsui and 91 of our colleagues  
4529 calling on the EPA to finalize the strongest feasible  
4530 standard proposed under its light-duty vehicle emission  
4531 standards.

4532 I am disappointed that the majority seems intent on  
4533 attempting to roll back the clock on the progress our nation  
4534 has made in reducing air pollution and the serious health  
4535 effects associated with it. A letter sent to the chair and  
4536 ranking member of this committee from environmental health  
4537 groups ahead of this markup said this bill would set a  
4538 dangerous precedent by "injecting politics into rulemakings" `  
4539 instead of basing decisions on the "best available science  
4540 and the need to protect public health."`

4541 My amendment simply ensures that the EPA's  
4542 congressionally mandated mission to protect Americans and our  
4543 environment from harmful pollution is not undermined by this  
4544 bill.

4545 So I urge my colleagues to support this common-sense

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4546 amendment and, Madam Chair, I yield back.

4547 Oh, I am going to yield my time to the gentleman from  
4548 California.

4549 \*Mr. Cardenas. Thank you for yielding. I just want to  
4550 thank you for introducing this common-sense amendment. I am  
4551 going to be voting for this amendment because I am for  
4552 choice, and I am for policies based on science and people's  
4553 health, and I am also definitely for the freedom to breathe.  
4554 Thank you.

4555 \*Ms. Clarke. Madam Chair, I yield back.

4556 \*The Chair. The gentlelady yields back. Is there  
4557 further discussion?

4558 \*Mr. Walberg. Madam Chair?

4559 \*The Chair. The chair recognizes Mr. Walberg for five  
4560 minutes to --

4561 \*Mr. Walberg. Madam Chair, I would like to strike the  
4562 last word to speak in opposition to the amendment.

4563 \*The Chair. You are recognized for five minutes.

4564 \*Mr. Walberg. My Democrat colleagues want to claim that  
4565 if you don't support their amendment you don't support the  
4566 Clean Air Act, public health, or breathing fresh air. I

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4567 support clean air and public health for all communities. I  
4568 don't support policies that, in the name of public health,  
4569 undermine health, welfare, and people's ability to work and  
4570 provide for their families.

4571 This amendment, in the name of public health, would harm  
4572 people by enabling the EPA to continue its dangerous actions.

4573 Let's not forget that Congress designed the Clean Air  
4574 Act with a holistic, realistic view of the needs of American  
4575 families. It enacted this seminal law, and I quote, "to  
4576 promote the public health and welfare and the productive  
4577 capacity of its population.'`

4578 The amendment not only ignores this realistic and  
4579 appropriate approach to implementing emission standards, it  
4580 also would expose Americans to a suite of adverse impacts  
4581 that are created by the mandated use of electric vehicles.

4582 We have had ample testimony about this in committee. We  
4583 know today that the new cars, SUVs, and pickup trucks are 99  
4584 percent cleaner than the 1970 models for common pollutants.  
4585 However, in order to decrease emissions by remaining one  
4586 percent, EPA is on a path to limit American's mobility at an  
4587 excessive cost to working families. It would hinder access



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4588 to the doctor and to the hospital, for example, both of which  
4589 would undermine the very public health, both emotional and  
4590 physical, which I would hope Democrats would want to protect.

4591 I understand also that my Democrat colleagues had some  
4592 critiques about the scope of this legislation at  
4593 subcommittee. Let me be clear. We don't want to reach back  
4594 to the start of the Clean Air Act and repeal catalytic  
4595 converters, on-board diagnostic systems. I don't want to  
4596 remove those improvements from cars or create compliance  
4597 uncertainty for auto manufacturers. We will continue to work  
4598 on this issue to ensure that the legislation only applies to  
4599 the type of rules that limit Americans' ability to choose  
4600 what is right for them and their families.

4601 And so I urge my colleagues to oppose this amendment,  
4602 and I yield back.

4603 \*The Chair. The gentleman yields back. Is there  
4604 further discussion on the amendment?

4605 \*Mr. Pallone. We want a roll call.

4606 \*The Chair. Seeing none, there has been a request for a  
4607 roll call vote. The clerk will call the roll.

4608 \*The Clerk. Burgess?

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4609 [No response.]  
4610 \*The Clerk. Latta?  
4611 [No response.]  
4612 \*The Clerk. Guthrie?  
4613 [No response.]  
4614 \*The Clerk. Griffith?  
4615 [No response.]  
4616 \*The Clerk. Bilirakis?  
4617 \*Mr. Bilirakis. No.  
4618 \*The Clerk. Bilirakis?  
4619 \*Mr. Bilirakis. Votes no.  
4620 \*The Clerk. Bilirakis votes no.  
4621 Johnson?  
4622 \*Mr. Johnson. No.  
4623 \*The Clerk. Johnson votes no.  
4624 Bucshon?  
4625 \*Mr. Bucshon. No.  
4626 \*The Clerk. Bucshon votes no.  
4627 Hudson?  
4628 [No response.]  
4629

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4630           \*The Clerk. Walberg?  
4631           \*Mr. Walberg. No.  
4632           \*The Clerk. Walberg votes no.  
4633           Carter?  
4634           [No response.]  
4635           \*The Clerk. Duncan?  
4636           [No response.]  
4637           \*The Clerk. Palmer?  
4638           \*Mr. Palmer. No.  
4639           \*The Clerk. Palmer votes no.  
4640           Dunn?  
4641           \*Mr. Dunn. No.  
4642           \*The Clerk. Dunn votes no.  
4643           Curtis?  
4644           \*Mr. Curtis. No.  
4645           \*The Clerk. Curtis votes no.  
4646           Lesko?  
4647           \*Mrs. Lesko. No.  
4648           \*The Clerk. Lesko votes no.  
4649           Pence?  
4650           \*Mr. Pence. No.

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4651           \*The Clerk. Pence votes no.  
4652           Crenshaw?  
4653           \*Mr. Crenshaw. No.  
4654           \*The Clerk. Crenshaw votes no.  
4655           Joyce?  
4656           \*Mr. Joyce. No.  
4657           \*The Clerk. Joyce votes no.  
4658           Armstrong?  
4659           \*Mr. Armstrong. No.  
4660           \*The Clerk. Armstrong votes no.  
4661           Weber?  
4662           [No response.]  
4663           \*The Clerk. Allen?  
4664           \*Mr. Allen. No.  
4665           \*The Clerk. Allen votes no.  
4666           Balderson?  
4667           \*Mr. Balderson. No.  
4668           \*The Clerk. Balderson votes no.  
4669           Fulcher?  
4670           \*Mr. Fulcher. Fulcher is no.  
4671           \*The Clerk. Fulcher votes no.

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4672 Pfluger?  
4673 \*Mr. Pfluger. No.  
4674 \*The Clerk. Pfluger votes no.  
4675 Harshbarger?  
4676 \*Mrs. Harshbarger. [Inaudible.]  
4677 \*The Clerk. Harshbarger votes no.  
4678 Miller-Meeks?  
4679 [No response.]  
4680  
4681 \*The Clerk. Cammack?  
4682 \*Mrs. Cammack. No.  
4683 \*The Clerk. Cammack votes no.  
4684 Obernolte?  
4685 [No response.]  
4686 \*The Clerk. Pallone?  
4687 \*Mr. Pallone. Aye.  
4688 \*The Clerk. Pallone votes aye.  
4689 Eshoo?  
4690 \*Ms. Eshoo. Aye.  
4691 \*The Clerk. Eshoo votes aye.  
4692 DeGette?

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4693 \*Ms. DeGette. Aye.  
4694 \*The Clerk. DeGette votes aye.  
4695 Schakowsky?  
4696 \*Ms. Schakowsky. Aye.  
4697 \*The Clerk. Schakowsky votes aye.  
4698 Matsui?  
4699 \*Ms. Matsui. Aye.  
4700 \*The Clerk. Matsui votes aye.  
4701 Castor?  
4702 [No response.]  
4703 \*The Clerk. Sarbanes?  
4704 \*Mr. Sarbanes. Aye.  
4705 \*The Clerk. Sarbanes votes aye.  
4706 Tonko?  
4707 [No response.]  
4708 \*The Clerk. Clarke?  
4709 \*Ms. Clarke. Aye.  
4710 \*The Clerk. Clarke votes aye.  
4711 Cardenas?  
4712 \*Mr. Cardenas. Aye.  
4713 \*The Clerk. Cardenas votes aye.

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4714 Ruiz?  
4715 \*Mr. Ruiz. Aye.  
4716 \*The Clerk. Ruiz votes aye.  
4717 Peters?  
4718 [No response.]  
4719 \*The Clerk. Dingell?  
4720 \*Mrs. Dingell. Aye.  
4721 \*The Clerk. Dingell votes aye.  
4722 Veasey?  
4723 \*Mr. Veasey. Aye.  
4724 \*The Clerk. Veasey votes aye.  
4725 Kuster?  
4726 \*Ms. Kuster. Aye.  
4727 \*The Clerk. Kuster votes aye.  
4728 Kelly?  
4729 [No response.]  
4730 \*The Clerk. Barragan?  
4731 [No response.]  
4732 \*The Clerk. Blunt Rochester?  
4733 \*Ms. Blunt Rochester. Aye.  
4734 \*The Clerk. Blunt Rochester votes aye.

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4735 Soto?

4736 \*Mr. Soto. Aye.

4737 \*The Clerk. Soto votes aye.

4738 Craig?

4739 \*Ms. Craig. Aye.

4740 \*The Clerk. Craig votes aye.

4741 Schrier?

4742 \*Ms. Schrier. Aye.

4743 \*The Clerk. Schrier votes aye.

4744 Trahan?

4745 \*Mrs. Trahan. [Inaudible.]

4746 \*The Clerk. Trahan votes aye.

4747 Fletcher?

4748 \*Mrs. Fletcher. Aye.

4749 \*The Clerk. Fletcher votes aye.

4750 Chair Rodgers?

4751 \*The Chair. No.

4752 \*The Clerk. Chair Rodgers votes no.

4753 \*Ms. Castor. Madam Chair?

4754 \*The Chair. Yes. Madam Clerk, how is Ms. Castor

4755 recorded?



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4756 \*The Clerk. Ms. Castor is not recorded.  
4757 \*Ms. Castor. Votes aye.  
4758 \*The Chair. How is Ms. -- oh.  
4759 \*The Clerk. Castor votes aye.  
4760 \*The Chair. How is Ms. Kelly recorded?  
4761 \*The Clerk. Ms. Kelly is not recorded.  
4762 \*Ms. Kelly. Kelly votes aye.  
4763 \*The Clerk. Kelly votes aye.  
4764 \*The Chair. How is Mr. Peters recorded?  
4765 \*The Clerk. Mr. Peters is not recorded.  
4766 \*Mr. Peters. Peters votes aye.  
4767 \*The Clerk. Peters votes aye.  
4768 \*The Chair. How is Ms. Barragan recorded?  
4769 \*The Clerk. Barragan is not recorded.  
4770 \*Ms. Barragan. Barragan votes aye.  
4771 \*The Clerk. Barragan votes aye.  
4772 \*The Chair. How is Mr. Burgess recorded?  
4773 \*The Clerk. Mr. Burgess is not recorded.  
4774 \*Mr. Burgess. Votes no.  
4775 \*The Clerk. Burgess votes no.  
4776 \*The Chair. How is Mr. Latta recorded?

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4777 \*The Clerk. Mr. Latta is not recorded.  
4778 \*Mr. Latta. Latta votes no.  
4779 \*The Clerk. Latta votes no.  
4780 \*The Chair. How is Mr. Duncan recorded?  
4781 \*The Clerk. Mr. Guthrie is not recorded.  
4782 \*Mr. Guthrie. No.  
4783 \*Mr. Duncan. [Inaudible.]  
4784 \*The Clerk. Guthrie votes no.  
4785 \*The Chair. That was Duncan.  
4786 \*Mr. Duncan. That was Duncan.  
4787 \*The Clerk. I mean Duncan.  
4788 \*Mr. Guthrie. And Guthrie votes no, as well.  
4789 \*The Clerk. Guthrie votes no.  
4790 Duncan votes no.  
4791 \*The Chair. How is Mr. Weber recorded?  
4792 \*The Clerk. Mr. Weber is not recorded.  
4793 \*Mr. Weber. Weber votes no.  
4794 \*The Clerk. Weber votes no.  
4795 \*The Chair. How is Mr. Tonko recorded?  
4796 \*The Clerk. Mr. Tonko is not recorded.  
4797 \*Mr. Tonko. Tonko votes aye.

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4798           \*The Clerk. Tonko votes aye.

4799           \*The Chair. Madam Clerk, would you call the members who  
4800 are not recorded, the names of the members that are --

4801           \*The Clerk. Mr. Griffith?

4802           \*Mr. Griffith. No.

4803           \*The Clerk. Mr. Griffith votes no.  
4804 Mr. Hudson?

4805           [No response.]

4806           \*The Clerk. Mrs. Miller-Meeks?

4807           [No response.]

4808           \*The Clerk. Mr. Obernolte?

4809           [No response.]

4810           [Pause.]

4811           \*The Chair. The clerk will report.

4812           \*The Clerk. Chair Rodgers, on that vote we have 23 ayes  
4813 and 25 noes.

4814           \*The Chair. The amendment is not agreed to. Are there  
4815 further amendments?

4816           The chair recognizes Mrs. Dingell for the purposes of  
4817 offering an amendment.

4818           \*Mrs. Dingell. Thank you, Chairman Rodgers. I have an

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4819 amendment at the desk labeled SCD01.

4820 \*The Chair. Clerk, report the amendment.

4821 \*The Clerk. Amendment to H.R. 4468, offered by Mrs.

4822 Dingell. Page 3, strike lines 3 through 5, and make such

4823 conforming changes as may be necessary.

4824 [The amendment of Mrs. Dingell follows:]

4825

4826 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

4827

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4828            \*Mrs. Dingell. Madam Chair, I oppose H.R. 4468, the  
4829 bill we are calling Choice in Automobile Retail Sales Act of  
4830 2023, which I believe does nothing to improve consumer  
4831 choice. With all due respect and great respect for my  
4832 colleague from Michigan, H.R. -- as far as I can tell, as I  
4833 read H.R. 4468 -- and have consulted with the autos and  
4834 lawyers and others -- it would stifle innovation in our  
4835 domestic vehicle industry.

4836            Everybody knows I keep saying I am a car girl, but I  
4837 really pay attention to this industry. I pay a lot of --  
4838 spend a lot of time with them, and I want to protect the  
4839 industry, my state, my workers, and this country. And I can  
4840 confidently say that the American auto industry is constantly  
4841 innovating to provide the best products for consumers. But  
4842 innovation like that driven by my sponsors and my -- the  
4843 sponsor of this bill and my home state does not happen  
4844 overnight or in a vacuum.

4845            Vehicle emission standards play an important role in  
4846 supporting this innovation. These standards serve as a  
4847 catalyst for the OEM companies, and help drive this  
4848 incredible progress and advancement to create new, better,

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4849 more affordable products for our constituents and for car  
4850 owners and enthusiasts across the world.

4851 H.R. 4468 would require that EPA vehicle emission  
4852 standards do not "result in limited availability of new motor  
4853 vehicles based on the type of motor vehicle engine in such  
4854 new motor vehicles.'" This language is broad, and ill-  
4855 defined that -- it could stop the incredible innovation  
4856 happening right now in the vehicle industry. This section  
4857 just puzzles people. Why would we want to put limits on the  
4858 types of cars vehicle manufacturers can produce? My  
4859 amendment would simply strike this limited availability  
4860 language.

4861 The Federal Government is an important partner of our  
4862 domestic vehicle manufacturing industry. Forward-looking  
4863 vehicle emission standards that improve year over year have  
4864 pushed the industry to innovate and advance its technology  
4865 for decades. We should not be jeopardizing future  
4866 technological breakthroughs just because some of us don't  
4867 like electric vehicles.

4868 And let me also say the United States Government has not  
4869 mandated that we cannot produce ICE vehicles, nor, if you

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4870 read the notice of proposed rulemaking, does it say you must  
4871 produce electric vehicles. I say to my staff every day:  
4872 hydrogen, hydrogen, hydrogen. There are many different  
4873 technologies that we need to be looking at. And by the way,  
4874 Thomas Edison and Henry Ford looked at a nickel iron battery  
4875 in the early 1900s. There are many other biodiesel fuels,  
4876 others that we can look at.

4877         Look, my colleague isn't here. I am the person in this  
4878 room that knows better than anybody that this is not rainbows  
4879 and sunshine. It is tough. We got a lot of difficult  
4880 choices to make. And rather than making all of these  
4881 statements and being here and there, we got to work together  
4882 to get to the right place that we are cleaning the air, and  
4883 building vehicles that people can afford, and we are not  
4884 endangering the workers, and the industry don't want to be  
4885 caught in a political fight between the two sides. They want  
4886 our support to keep this industry competitive in a global  
4887 marketplace.

4888         So I don't want to support -- I am sorry I have to  
4889 oppose my Republican colleagues' approach here, but I believe  
4890 this bill would stop innovation. It is just something I

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4891 cannot support. I urge my colleagues to support this  
4892 amendment just dropping limited availability.

4893 Thank you, Madam Chair, and I yield back.

4894 \*The Chair. The gentlelady yields back. Is there  
4895 further discussion?

4896 The gentleman, Mr. Walberg, is recognized for five  
4897 minutes on the amendment.

4898 \*Mr. Walberg. Thank you, Madam Chair. I oppose this  
4899 amendment and urge other members to do so, as well.

4900 I appreciate my colleague from Michigan's positions on  
4901 this, but the underlying bill is intended to prevent the EPA,  
4902 through regulation, government, bureaucratic, hard-fisted  
4903 regulation, from deciding which types of cars people should  
4904 buy or not have available to them.

4905 I will never forget -- and saying this in the positive,  
4906 good, strong memory of the scion, the lion of this committee,  
4907 Chairman John Dingell, who I had the privilege of sitting in  
4908 a room with when he was talking with Sergio Marchionne, the  
4909 late chairman of Chrysler Daimler, and they were talking  
4910 about the newer -- the new CAFÉ standards that were coming  
4911 out. I will never forget the discussion. It was a good



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4912 discussion.

4913           And after the chairman had given the basics for the CAFÉ  
4914 standards, I will never forget Sergio Marchionne saying, "Mr.  
4915 Chairman, thank you. As long as the standards are reasonable  
4916 -- they may make us stretch a bit, but as long as they are  
4917 reasonable and rational, we can make them. But then get out  
4918 of the way. Don't tell us what engine, what motor, what  
4919 transmission to achieve this. Between our engineers, our  
4920 designers, and our consumers we will come up with the best  
4921 deal.'" I have always remembered that.

4922           And I appreciate the fact that we all say we believe in  
4923 innovation, a free market approach, competition. This  
4924 amendment, in fact, would take away from that. My bill will  
4925 expand that opportunity.

4926           And with that I encourage opposition to this amendment,  
4927 and I yield back.

4928           \*The Chair. The gentleman yields back. Is there  
4929 further discussion?

4930           The chair recognizes Ms. Schakowsky to strike the last  
4931 word.

4932           \*Ms. Schakowsky. Thank you. Yes, I seek to like -- to

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4933 strike the last word.

4934           So despite its name, the name of this legislation,  
4935 Choice in Automobile Retail Sales Act, despite the name of  
4936 this resolution, this bill would limit consumer choice. It  
4937 would it would lock in place the status quo for vehicle  
4938 technology as they exist today, preventing pro-consumer, pro-  
4939 innovation, and the American people. American innovation has  
4940 actually reduced prices for consumers and benefits millions  
4941 of Americans, and we must not block future savings for  
4942 American drivers.

4943           I just want to say that Mrs. Dingell's amendment strikes  
4944 the language that will have serious negative consequences for  
4945 consumers across the country. And we need to be encouraging  
4946 innovation, not stagnation. And I certainly urge my  
4947 colleagues to vote no.

4948           And now I yield to Congresswoman DeGette.

4949           \*Ms. DeGette. Thank you so much.

4950           I rise in support of Congresswoman Dingell's amendment  
4951 because it addresses a proposed policy that would perpetuate  
4952 the status quo when it comes to pollution, while actually  
4953 kneecapping innovation in the automotive industry.

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4954           Historically, as the gentlelady from Michigan said, the  
4955 Clean Air Act's vehicle emissions standards actually drive  
4956 innovation. And that is what EPA's proposed rule does  
4957 without -- and this is key -- without mandating a specific  
4958 type of technology. However, the wide-reaching, vague  
4959 "limited availability" language in H.R. 4468 would lock us  
4960 into today's technology across all engine types. It would  
4961 bring automotive innovation to a standstill because it is  
4962 simply too broad.

4963           And in addition, given how this language is drafted, I  
4964 fear that it would be impossible for the EPA to determine the  
4965 impact of a regulation on availability across all engine  
4966 types.

4967           So here is the thing. All of us want cars that emit  
4968 fewer harmful emissions and contribute less pollution. All  
4969 of us want cleaner air and water. In my town of Denver we  
4970 regularly have high ozone days that are in part driven by  
4971 automobile traffic. And frankly, I don't think Congress  
4972 should dictate that we should be frozen in time and have to  
4973 live with this indefinitely.

4974           So, yes, we all want to see the continued innovation

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4975 that lowers pollution from the automotive industry. And  
4976 because of that I urge adoption of this amendment.

4977 I yield back to Ms. Schakowsky.

4978 \*Ms. Schakowsky. And I certainly would encourage  
4979 everyone who wants to move forward to vote in favor of the  
4980 amendment that has been offered by Congresswoman Dingell.

4981 And with that, I yield back.

4982 \*The Chair. The gentlelady yields back. Is there  
4983 further discussion on the amendment?

4984 Seeing none, all -- a vote occurs on the amendment, the  
4985 Dingell amendment. A roll call has been requested. The  
4986 clerk will call the roll.

4987 \*The Clerk. Burgess?

4988 \*Mr. Burgess. Burgess votes no.

4989 \*The Clerk. Burgess votes no.

4990 Latta?

4991 [No response.]

4992 \*The Clerk. Guthrie?

4993 [No response.]

4994 \*The Clerk. Griffith?

4995 \*Mr. Griffith. No.

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4996           \*The Clerk. Griffith votes no.  
4997           Bilirakis?  
4998           \*Mr. Bilirakis. No.  
4999           \*The Clerk. Bilirakis votes no.  
5000           Johnson?  
5001           \*Mr. Johnson. No.  
5002           \*The Clerk. Johnson votes no.  
5003           Bucshon?  
5004           \*Mr. Bucshon. No.  
5005           \*The Clerk. Bucshon votes no.  
5006           Hudson?  
5007           [No response.]  
5008           \*The Clerk. Walberg?  
5009           \*Mr. Walberg. No.  
5010           \*The Clerk. Walberg votes no.  
5011           Carter?  
5012           [No response.]  
5013           \*The Clerk. Duncan?  
5014           [No response.]  
5015           \*The Clerk. Palmer?  
5016           \*Mr. Palmer. No.

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5017           \*The Clerk. Palmer votes no.  
5018           Dunn?  
5019           \*Mr. Dunn. No.  
5020           \*The Clerk. Dunn votes no.  
5021           Curtis?  
5022           \*Mr. Curtis. No.  
5023           \*The Clerk. Curtis votes no.  
5024           Lesko?  
5025           \*Mrs. Lesko. No.  
5026           \*The Clerk. Lesko votes no.  
5027           Pence?  
5028           \*Mr. Pence. No.  
5029           \*The Clerk. Pence votes no.  
5030           Crenshaw?  
5031           \*Mr. Crenshaw. No.  
5032           \*The Clerk. Crenshaw votes no.  
5033           Joyce?  
5034           \*Mr. Joyce. No.  
5035           \*The Clerk. Joyce votes no.  
5036           Armstrong?  
5037           \*Mr. Armstrong. No.

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5038           \*The Clerk.  Armstrong votes no.  
5039           Weber?  
5040           \*Mr. Weber.  No.  
5041           \*The Clerk.  Weber votes no.  
5042           Allen?  
5043           \*Mr. Allen.  No.  
5044           \*The Clerk.  Allen votes no.  
5045           Balderson?  
5046           \*Mr. Balderson.  [Inaudible.]  
5047           \*The Clerk.  Balderson votes no.  
5048           Fulcher?  
5049           \*Mr. Fulcher.  Fulcher, no.  
5050           \*The Clerk.  Fulcher votes no.  
5051           Pfluger?  
5052           \*Mr. Pfluger.  [Inaudible.]  
5053           \*The Clerk.  Pfluger votes no.  
5054           Harshbarger?  
5055           \*Mrs. Harshbarger.  [Inaudible.]  
5056           \*The Clerk.  Harshbarger votes no.  
5057           Miller-Meeks?  
5058           [No response.]

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5059           \*The Clerk. Cammack?  
5060           \*Mrs. Cammack. No.  
5061           \*The Clerk. Cammack votes no.  
5062           Oberholte?  
5063           \*Mr. Oberholte. No.  
5064           \*The Clerk. Oberholte votes no.  
5065           Pallone?  
5066           \*Mr. Pallone. Aye.  
5067           \*The Clerk. Pallone votes aye.  
5068           Eshoo?  
5069           \*Ms. Eshoo. Aye.  
5070           \*The Clerk. Eshoo votes aye.  
5071           DeGette?  
5072           \*Ms. DeGette. Aye.  
5073           \*The Clerk. DeGette votes aye.  
5074           Schakowsky?  
5075           \*Ms. Schakowsky. Aye.  
5076           \*The Clerk. Schakowsky votes aye.  
5077           Matsui?  
5078           \*Ms. Matsui. Aye.  
5079           \*The Clerk. Matsui votes aye.



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5080 Castor?  
5081 \*Ms. Castor. Aye.  
5082 \*The Clerk. Castor votes aye.  
5083 Sarbanes?  
5084 \*Mr. Sarbanes. Aye.  
5085 \*The Clerk. Sarbanes votes aye.  
5086 Tonko?  
5087 \*Mr. Tonko. Aye.  
5088 \*The Clerk. Tonko votes aye.  
5089 Clarke?  
5090 \*Ms. Clarke. Aye.  
5091 \*The Clerk. Clarke votes aye.  
5092 Cardenas?  
5093 \*Mr. Tonko. How is Joyce doing?  
5094 \*Mr. Cardenas. [Inaudible.]  
5095 \*The Clerk. Cardenas votes aye.  
5096 Ruiz?  
5097 \*Mr. Ruiz. Aye.  
5098 \*The Clerk. Ruiz votes aye.  
5099 Peters?  
5100 \*Mr. Peters. Aye.

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5101           \*The Clerk. Peters votes aye.  
5102           Dingell?  
5103           \*Mrs. Dingell. Aye.  
5104           \*The Clerk. Dingell votes aye.  
5105           Veasey?  
5106           \*Mr. Veasey. Aye.  
5107           \*The Clerk. Veasey votes aye.  
5108           Kuster?  
5109           \*Ms. Kuster. Aye.  
5110           \*The Clerk. Kuster votes aye.  
5111           Kelly?  
5112           \*Ms. Kelly. Aye.  
5113           \*The Clerk. Kelly votes aye.  
5114           Barragan?  
5115           \*Ms. Barragan. Aye.  
5116           \*The Clerk. Barragan votes aye.  
5117           Blunt Rochester?  
5118           \*Ms. Blunt Rochester. Aye.  
5119           \*The Clerk. Blunt Rochester votes aye.  
5120           Soto?  
5121           \*Mr. Soto. Aye.

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5122           \*The Clerk. Soto votes aye.  
5123           Craig?  
5124           \*Ms. Craig. Aye.  
5125           \*The Clerk. Craig votes aye.  
5126           Schrier?  
5127           [No response.]  
5128           \*The Clerk. Trahan?  
5129           \*Mrs. Trahan. Aye.  
5130           \*The Clerk. Trahan votes aye.  
5131           Fletcher?  
5132           \*Mrs. Fletcher. Aye.  
5133           \*The Clerk. Fletcher votes aye.  
5134           Chair Rodgers?  
5135           \*The Chair. No.  
5136           \*The Clerk. Chair Rodgers votes no.  
5137           \*Mr. Carter. Carter?  
5138           \*The Clerk. Mr. Carter is not recorded.  
5139           \*Mr. Carter. Carter votes no.  
5140           \*The Chair. Would you just --  
5141           \*The Clerk. Carter votes no.  
5142           \*The Chair. Madam Clerk, would you call the roll of

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5143 those who didn't vote?

5144 \*The Clerk. Latta?

5145 \*Mr. Latta. No.

5146 \*The Clerk. Latta votes no.

5147 Guthrie?

5148 \*Mr. Guthrie. No.

5149 \*The Clerk. Guthrie votes no.

5150 Hudson?

5151 [No response.]

5152 \*The Clerk. Duncan?

5153 \*Mr. Duncan. No.

5154 \*The Clerk. Duncan votes no.

5155 Miller-Meeks?

5156 [No response.]

5157 \*The Clerk. Schrier?

5158 \*Ms. Schrier. Aye.

5159 \*The Clerk. Schrier votes aye.

5160 [Pause.]

5161 \*The Chair. The clerk will report.

5162 \*The Clerk. Chair Rodgers, on that vote we have 23 ayes

5163 and 27 noes.

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5164           \*The Chair. The nays have it. The amendment is not  
5165 agreed to.

5166           Are there further amendments?

5167           Seeing none, the question now occurs on approving H.R.  
5168 4468, and a roll call vote has been requested. The clerk  
5169 will call the roll.

5170           \*The Clerk. Burgess?

5171           \*Mr. Burgess. Votes aye.

5172           \*The Clerk. Burgess votes aye.

5173           Latta?

5174           \*Mr. Latta. Aye.

5175           \*The Clerk. Latta votes aye.

5176           Guthrie?

5177           \*Mr. Guthrie. Aye.

5178           \*The Clerk. Guthrie votes aye.

5179           Griffith?

5180           \*Mr. Griffith. Aye.

5181           \*The Clerk. Griffith votes aye.

5182           Bilirakis?

5183           \*Mr. Bilirakis. Aye.

5184           \*The Clerk. Bilirakis votes aye.

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5185 Johnson?  
5186 \*Mr. Johnson. Aye.  
5187 \*The Clerk. Johnson votes aye.  
5188 Bucshon?  
5189 \*Mr. Bucshon. Aye.  
5190 \*The Clerk. Bucshon votes aye.  
5191 Hudson?  
5192 [No response.]  
5193 \*The Clerk. Walberg?  
5194 \*Mr. Walberg. Aye.  
5195 \*The Clerk. Walberg votes aye.  
5196 Carter?  
5197 \*Mr. Carter. Aye.  
5198 \*The Clerk. Carter votes aye.  
5199 Duncan?  
5200 \*Mr. Duncan. Aye.  
5201 \*The Clerk. Duncan votes aye.  
5202 Palmer?  
5203 [No response.]  
5204 \*The Clerk. Dunn?  
5205 \*Mr. Dunn. Aye.

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5206           \*The Clerk.   Dunn votes aye.  
5207           Curtis?  
5208           \*Mr. Curtis.   Aye.  
5209           \*The Clerk.   Curtis votes aye.  
5210           Lesko?  
5211           \*Mrs. Lesko.   Aye.  
5212           \*The Clerk.   Lesko votes aye.  
5213           Pence?  
5214           \*Mr. Pence.    Aye.  
5215           \*The Clerk.   Pence votes aye.  
5216           Crenshaw?  
5217           [No response.]  
5218           \*The Clerk.   Joyce?  
5219           \*Mr. Joyce.    Aye.  
5220           \*The Clerk.   Joyce votes aye.  
5221           Armstrong?  
5222           \*Mr. Armstrong.  Yes.  
5223           \*The Clerk.   Armstrong votes aye.  
5224           Weber?  
5225           \*Mr. Weber.    Aye.  
5226           \*The Clerk.   Weber votes aye.

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5227 Allen?  
5228 \*Mr. Allen. Aye.  
5229 \*The Clerk. Allen votes aye.  
5230 Balderson?  
5231 \*Mr. Balderson. Aye.  
5232 \*The Clerk. Balderson votes aye.  
5233 Fulcher?  
5234 \*Mr. Fulcher. Fulcher is aye.  
5235 \*The Clerk. Fulcher votes aye.  
5236 Pfluger?  
5237 \*Mr. Pfluger. Aye.  
5238 \*The Clerk. Pfluger votes aye.  
5239 Harshbarger?  
5240 \*Mrs. Harshbarger. Aye.  
5241 \*The Clerk. Harshbarger votes aye.  
5242 Miller-Meeks?  
5243 [No response.]  
5244 \*The Clerk. Cammack?  
5245 \*Mrs. Cammack. Aye.  
5246 \*The Clerk. Cammack votes aye.  
5247 Obernolte?



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5248 \*Mr. Obernolte. Aye.  
5249 \*The Clerk. Obernolte votes aye.  
5250 Pallone?  
5251 \*Mr. Pallone. No.  
5252 \*The Clerk. Pallone votes no.  
5253 Eshoo?  
5254 \*Ms. Eshoo. No.  
5255 \*The Clerk. Eshoo votes no.  
5256 DeGette?  
5257 \*Ms. DeGette. No.  
5258 \*The Clerk. DeGette votes no.  
5259 Schakowsky?  
5260 \*Ms. Schakowsky. No.  
5261 \*The Clerk. Schakowsky votes no.  
5262 Matsui?  
5263 \*Ms. Matsui. No.  
5264 \*The Clerk. Matsui votes no.  
5265 Castor?  
5266 \*Ms. Castor. [Inaudible.]  
5267 \*The Clerk. Castor votes no.  
5268 Sarbanes?

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5269           \*Mr. Sarbanes. No.  
5270           \*The Clerk. Sarbanes votes no.  
5271           Tonko?  
5272           \*Mr. Tonko. No.  
5273           \*The Clerk. Tonko votes no.  
5274           Clarke?  
5275           \*Ms. Clarke. No.  
5276           \*The Clerk. Clarke votes no.  
5277           Cardenas?  
5278           \*Mr. Cardenas. No.  
5279           \*The Clerk. Cardenas votes no.  
5280           Ruiz?  
5281           \*Mr. Ruiz. No.  
5282           \*The Clerk. Ruiz votes no.  
5283           Peters?  
5284           \*Mr. Peters. [Inaudible.]  
5285           \*The Clerk. Peters votes no.  
5286           Dingell?  
5287           \*Mrs. Dingell. No.  
5288           \*The Clerk. Dingell votes no.  
5289           Veasey?

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5290 \*Mr. Veasey. No.  
5291 \*The Clerk. Veasey votes no.  
5292 Kuster?  
5293 \*Ms. Kuster. No.  
5294 \*The Clerk. Kuster votes no.  
5295 Kelly?  
5296 \*Ms. Kelly. No.  
5297 \*The Clerk. Kelly votes no.  
5298 Barragan?  
5299 \*Ms. Barragan. No.  
5300 \*The Clerk. Barragan votes no.  
5301 Blunt Rochester?  
5302 \*Ms. Blunt Rochester. No.  
5303 \*The Clerk. Blunt Rochester votes no.  
5304 Soto?  
5305 \*Mr. Soto. Nay.  
5306 \*The Clerk. Soto votes no.  
5307 Craig?  
5308 \*Ms. Craig. No.  
5309 \*The Clerk. Craig votes no.  
5310 Schrier?

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5311 \*Ms. Schrier. No.

5312 \*The Clerk. Schrier votes no.

5313 Trahan?

5314 \*Mrs. Trahan. No.

5315 \*The Clerk. Trahan votes no.

5316 Fletcher?

5317 \*Mrs. Fletcher. No.

5318 \*The Clerk. Fletcher votes no.

5319 Chair Rodgers?

5320 \*The Chair. Aye.

5321 \*The Clerk. Chair Rodgers votes aye.

5322 \*The Chair. Madam Clerk, how is Mr. Palmer recorded?

5323 \*The Clerk. Mr. Palmer is not recorded.

5324 \*Mr. Palmer. Yes.

5325 \*The Clerk. Palmer votes aye.

5326 \*The Chair. How is Mr. Crenshaw recorded?

5327 \*The Clerk. Mr. Crenshaw is not recorded.

5328 \*Mr. Crenshaw. Crenshaw votes aye.

5329 \*The Clerk. Crenshaw votes aye.

5330 \*Mr. Pallone. I think we have got everybody.

5331 \*The Chair. Good job.

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5332 [Pause.]

5333 \*The Chair. The clerk will report.

5334 \*The Clerk. Chair Rodgers, on that vote we have 27 ayes  
5335 and 23 noes.

5336 \*The Chair. The ayes have it, and the bill is adopted.

5337 The chair calls up H.R. 4469, and asks the clerk to  
5338 report.

5339 \*The Clerk. H.R. 4469, a bill to clarify that eRINs are  
5340 not authorized for purposes of satisfying the volume of  
5341 renewable fuel that needs to be contained in transportation  
5342 fuel for purposes of the renewable fuel program, and for  
5343 other purposes.

5344 \*Mr. Johnson. Without objection, the first reading of  
5345 the bill is dispensed with, and the bill will be open for  
5346 amendment at any point.

5347 So ordered.

5348 [The bill follows:]

5349

5350 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5351

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5352 \*Mr. Johnson. Does anyone --

5353 \*Mr. Pence. Mr. Chair, I would like to strike the last  
5354 word to speak in favor of the bill.

5355 \*Mr. Johnson. The chair recognizes Mr. Pence from  
5356 Indiana.

5357 \*Mr. Pence. I urge my colleagues to join me in  
5358 supporting my legislation, the No Fuel Credits for Battery  
5359 Act.

5360 This legislation is simple. It protects the integrity  
5361 of liquid fuels by clarifying that eRINs are not authorized  
5362 to satisfy renewable fuel volume obligations. Efforts by the  
5363 EPA to stand up this program could devalue or possibly  
5364 eradicate the existing RIN market, which could be or would be  
5365 replaced by the new category of eRINs.

5366 As we know, Congress never affirmatively gave authority  
5367 to the EPA to allow the generation of eRINs for purposes of  
5368 satisfying volume requirements under the RFS. All that was  
5369 done was to direct the EPA to conduct a study and report to  
5370 Congress on the feasibility of eRINs, which was never fully  
5371 completed.

5372 This proposal extends far beyond the intent of the RFS,

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5373 and would come at the expense of liquid fuels. The RFS was  
5374 designed to bring integrity to liquid fuels and biofuel  
5375 refiners, and is critical to the farmers in southern Indiana  
5376 and across the United States. Fifty percent of the corn  
5377 product in Indiana goes to ethanol.

5378 As the original statute clearly states, RIN generation  
5379 was to be awarded to entities that "refine, blend, or import  
5380 liquid fuels." The RFS was never intended for a convoluted  
5381 and complicated process that awards RINs to auto  
5382 manufacturers. This effort to subsidize the entire EV  
5383 charging value chain, from renewable energy developers to  
5384 charging stations, could be rife with fraud and double  
5385 counting, like in the original RIN years ago.

5386 During our hearings with EPA this year, both the  
5387 administrator and the deputy administrator acknowledged  
5388 concerns that their proposal could add even more expenses to  
5389 refiners, penalize liquid fuels, and make them less  
5390 competitive, which could be the purpose of eRINs. This eRIN  
5391 proposal seems to be nothing more than an additional funding  
5392 stream to recover investments due to underwhelming EV sales,  
5393 as we have discussed earlier.

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5394           And while the EPA removed this provision from their RFS  
5395 rule earlier this summer, I remain concerned that the  
5396 Administration will bypass legitimate concerns from  
5397 stakeholders, and finalize an eRINs proposal without any more  
5398 public comment. Our nation's existing energy production and  
5399 distribution chain should not be haphazardly shut down before  
5400 we have a clear understanding of the viability of the  
5401 electrification of our transportation industry.

5402           I urge my colleagues to join me in supporting this  
5403 legislation, and I yield back.

5404           \*Mr. Johnson. The gentleman yields back. Does anyone -  
5405 - Mr. -- for what purpose does the gentleman from New York  
5406 seek recognition?

5407           \*Mr. Tonko. Mr. Chair, I move to strike the last word.

5408           \*Mr. Johnson. The gentleman is recognized for five  
5409 minutes.

5410           \*Mr. Tonko. Thank you, Mr. Chair.

5411           In the previous two bills we heard Republican members  
5412 suggest that EPA and California are picking winners and  
5413 losers amongst vehicle engine technologies, that these  
5414 regulators have an agenda to promote zero-emission vehicles,



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5415 and that should not be allowed to happen at the expense of  
5416 internal combustion engines. So I have a hard time  
5417 understanding how to square that argument with this bill,  
5418 because, let's be clear, this bill is seeking to limit the  
5419 availability of certain types of fuels, specifically fuels  
5420 produced from biogas captured by landfills, wastewater  
5421 treatment plants, farms, and other waste digesters.

5422           Currently, the RFS rewards biogas that is turned into  
5423 renewable natural gas to fuel a natural gas-powered vehicle.  
5424 But it does not offer any support for biogas that would power  
5425 an electric vehicle. Why shouldn't fuels be able to benefit  
5426 on an even playing field, provided that they meet the RFS  
5427 definition of an eligible feedstock, regardless of the type  
5428 of vehicle that they power?

5429           Over the course of the legislative hearing and  
5430 subcommittee markup, we have gone back and forth about the  
5431 history of eRINs. We are not going to be able to reach  
5432 agreement on whether eRINs were originally intended under the  
5433 RFS, or whether Congress has done anything to suggest  
5434 otherwise since 2010. But what we should be able to agree  
5435 upon is that the RFS was intended to support rural

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5436 communities, reduce dependance on foreign oil, and lower  
5437 emissions. There is no doubt that eRINs will help accomplish  
5438 that goal.

5439 So in an effort to avoid blocking certain otherwise  
5440 eligible fuels from benefiting from the program simply  
5441 because the type of engine technology they are used to power,  
5442 I encourage members to oppose this bill.

5443 With that, Mr. Chair, I yield back.

5444 \*Mr. Johnson. The gentleman yields back. Does anyone  
5445 else seek recognition?

5446 For what purpose does the gentlelady from Iowa seek  
5447 recognition?

5448 \*Mrs. Miller-Meeks. I move to strike the last word in  
5449 support of this bill.

5450 \*Mr. Johnson. The gentlelady is recognized for five  
5451 minutes.

5452 \*Mrs. Miller-Meeks. Thank you, Mr. Chair. I am a proud  
5453 cosponsor of H.R. 4469, the No Fuels Credit for Batteries  
5454 Act.

5455 As Iowa has some of the highest production of biofuels,  
5456 ethanol, biodiesel, compressed natural gas, and 50 percent of

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5457 our energy in the state is from renewables, I strongly  
5458 support this legislation. The No Fuels Credit for Batteries  
5459 Act retains current incentives for cleaner biofuels and  
5460 eliminates participation in the Renewable Fuel Standard  
5461 program by electric vehicle manufacturers.

5462 The Biden Administration continues to thrust its support  
5463 behind a complete shift to electric vehicles, employing every  
5464 available policy lever without consideration for consumer  
5465 choice or feasibility for rural Americans. And I represent a  
5466 rural district. This is all while forcing our country's  
5467 baseload energy sources offline. This idea that has been put  
5468 forth by the Biden Administration of allowing electric  
5469 vehicle manufacturers to participate in generating renewable  
5470 fuel standard credits is unprecedented, and another example  
5471 of bureaucratic overreach, if implemented.

5472 The RFS was not meant for electricity generated from an  
5473 electric vehicle, even if that electric vehicle is charged  
5474 using biogas that creates electricity. In fact, current law  
5475 clearly states that the four renewable fuel categories under  
5476 the RFS are biomass-based diesel, cellulosic biofuel,  
5477 advanced biofuel, total renewable fuel.

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5478           Absent this bill, EPA and others would be illegally  
5479 acting as a legislator by allowing electric vehicles to  
5480 supplant a marketplace that is large, and is growing, and is  
5481 needed, especially as we look at future markets with  
5482 sustainable aviation fuel and marine fuel.

5483           This bill is vital, and I strongly support its passage  
5484 through this committee, and I urge my colleagues to vote in  
5485 support.

5486           Thank you, and I yield back.

5487           \*Mr. Johnson. The gentlelady yields back. Does anyone  
5488 else wish to speak?

5489           For what purpose does the gentlelady seek --

5490           \*Ms. Schakowsky. I move to strike the last word.

5491           \*Mr. Johnson. The gentlelady is recognized for five  
5492 minutes.

5493           \*Ms. Schakowsky. So according to Brookings, United  
5494 States fossil fuels are subsidized to the tune of \$20 billion  
5495 every year. And subsidies for fossil fuels really go back  
5496 about 100 years. And so it seems to me that it is the height  
5497 of hypocrisy for the -- for over billions of dollars to be  
5498 spent on fossil fuels, and to say that we won't -- don't want

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5499 to fund renewables.

5500 And really, the Republicans are always saying to us that  
5501 what they really want is all of the above. But when it comes  
5502 to reality, no, not all of the above that -- they want to  
5503 take this moment to make it impossible for us to really  
5504 expand opportunities not only to address the climate, but to  
5505 make sure that all of the technologies that are there, that  
5506 are -- the innovation that is going on be able to go forth.

5507 And so I think this is an obstructionist proposal, and I  
5508 would urge my colleagues to vote no.

5509 And with that, I yield back.

5510 \*Mr. Johnson. The gentlelady yields back. Do any  
5511 others wish to speak on the bill?

5512 Any bipartisan amendments?

5513 Any amendments?

5514 Seeing none, the question is on passing the bill. The  
5515 clerk will report.

5516 \*The Clerk. Burgess?

5517 \*Mr. Burgess. Burgess votes aye.

5518 \*The Clerk. Burgess votes aye.

5519 Latta?

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5520           \*Mr. Latta. Aye.

5521           \*The Clerk. Latta votes aye.

5522           Guthrie?

5523           \*Mr. Guthrie. Aye.

5524           \*The Clerk. Guthrie votes aye.

5525           Griffith?

5526           \*Mr. Griffith. Aye.

5527           \*The Clerk. Griffith votes aye.

5528           Bilirakis?

5529           \*Mr. Bilirakis. Aye.

5530           \*The Clerk. Bilirakis votes aye.

5531           Johnson?

5532           \*Mr. Johnson. Aye.

5533           \*The Clerk. Johnson votes aye.

5534           Bucshon?

5535           \*Mr. Bucshon. Aye.

5536           \*The Clerk. Bucshon votes aye.

5537           Hudson?

5538           [No response.]

5539           \*The Clerk. Walberg?

5540           [No response.]

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5541           \*The Clerk. Carter?  
5542           \*Mr. Carter. Aye.  
5543           \*The Clerk. Carter votes aye.  
5544           Duncan?  
5545           \*Mr. Duncan. Aye.  
5546           \*The Clerk. Duncan votes aye.  
5547           Palmer?  
5548           [No response.]  
5549           \*The Clerk. Dunn?  
5550           \*Mr. Dunn. Aye.  
5551           \*The Clerk. Dunn votes aye.  
5552           Curtis?  
5553           \*Mr. Curtis. Aye.  
5554           \*The Clerk. Curtis votes aye.  
5555           Lesko?  
5556           \*Mrs. Lesko. Aye.  
5557           \*The Clerk. Lesko votes aye.  
5558           Pence?  
5559           \*Mr. Pence. Aye.  
5560           \*The Clerk. Pence votes aye.  
5561           Crenshaw?

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5562 \*Mr. Crenshaw. Aye.  
5563 \*The Clerk. Crenshaw votes aye.  
5564 Joyce?  
5565 \*Mr. Joyce. Aye.  
5566 \*The Clerk. Joyce votes aye.  
5567 Armstrong?  
5568 \*Mr. Armstrong. Yes.  
5569 \*The Clerk. Armstrong votes aye.  
5570 Weber?  
5571 [No response.]  
5572 \*The Clerk. Weber?  
5573 \*Mr. Weber. Aye.  
5574 \*The Clerk. Weber votes aye.  
5575 Allen?  
5576 \*Mr. Allen. [Inaudible.]  
5577 \*The Clerk. Allen votes aye.  
5578 Balderson?  
5579 \*Mr. Balderson. Aye.  
5580 \*The Clerk. Balderson votes aye.  
5581 Fulcher?  
5582 \*Mr. Fulcher. Fulcher, aye.



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5583           \*The Clerk. Fulcher votes aye.  
5584           Pfluger?  
5585           \*Mr. Pfluger. Aye.  
5586           \*The Clerk. Pfluger votes aye.  
5587           Harshbarger?  
5588           \*Mrs. Harshbarger. Aye.  
5589           \*The Clerk. Harshbarger votes aye.  
5590           Miller-Meeks?  
5591           [No response.]  
5592           \*The Clerk. Cammack?  
5593           \*Mrs. Cammack. Aye.  
5594           \*The Clerk. Cammack votes aye.  
5595           Oberholte?  
5596           \*Mr. Oberholte. Aye.  
5597           \*The Clerk. Oberholte votes aye.  
5598           Pallone?  
5599           \*Mr. Pallone. Votes no.  
5600           \*The Clerk. Pallone votes no.  
5601           Eshoo?  
5602           \*Ms. Eshoo. No.  
5603           \*The Clerk. Eshoo votes no.

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5604 DeGette?  
5605 \*Ms. DeGette. No.  
5606 \*The Clerk. DeGette votes no.  
5607 Schakowsky?  
5608 \*Ms. Schakowsky. No.  
5609 \*The Clerk. Schakowsky votes no.  
5610 Matsui?  
5611 \*Ms. Matsui. No.  
5612 \*The Clerk. Matsui votes no.  
5613 Castor?  
5614 \*Ms. Castor. No.  
5615 \*The Clerk. Castor votes no.  
5616 Sarbanes?  
5617 \*Mr. Sarbanes. No.  
5618 \*The Clerk. Sarbanes votes no.  
5619 Tonko?  
5620 \*Mr. Tonko. No.  
5621 \*The Clerk. Tonko votes no.  
5622 Clarke?  
5623 \*Ms. Clarke. No.  
5624 \*The Clerk. Clarke votes no.

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5625 Cardenas?  
5626 \*Mr. Cardenas. No.  
5627 \*The Clerk. Cardenas votes no.  
5628 Ruiz?  
5629 \*Mr. Ruiz. No.  
5630 \*The Clerk. Ruiz votes no.  
5631 Peters?  
5632 \*Mr. Peters. No.  
5633 \*The Clerk. Peters votes no.  
5634 Dingell?  
5635 \*Mrs. Dingell. No.  
5636 \*The Clerk. Dingell votes no.  
5637 Veasey?  
5638 [No response.]  
5639 \*The Clerk. Kuster?  
5640 \*Ms. Kuster. No.  
5641 \*The Clerk. Kuster votes no.  
5642 Kelly?  
5643 \*Ms. Kelly. No.  
5644 \*The Clerk. Kelly votes no.  
5645 Barragan?

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5646 \*Ms. Barragan. No.  
5647 \*The Clerk. Barragan votes no.  
5648 Blunt Rochester?  
5649 \*Ms. Blunt Rochester. No.  
5650 \*The Clerk. Blunt Rochester votes no.  
5651 Soto?  
5652 \*Mr. Soto. No.  
5653 \*The Clerk. Soto votes no.  
5654 Craig?  
5655 \*Ms. Craig. No.  
5656 \*The Clerk. Craig votes no.  
5657 Schrier?  
5658 \*Ms. Schrier. No.  
5659 \*The Clerk. Schrier votes no.  
5660 Trahan?  
5661 \*Mrs. Trahan. No.  
5662 \*The Clerk. Trahan votes no.  
5663 Fletcher?  
5664 \*Mrs. Fletcher. No.  
5665 \*The Clerk. Fletcher votes no.  
5666 Chair Rodgers?

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5667           \*The Chair. [Presiding] Aye.

5668           \*The Clerk. Chair Rodgers votes aye.

5669           \*Mr. Johnson. How is Mr. Palmer?

5670           \*The Clerk. Mr. Palmer is not recorded.

5671           \*Mr. Palmer. [Inaudible.]

5672           \*The Clerk. Can Mr. Palmer repeat his vote?

5673           \*Mr. Palmer. Yes.

5674           \*The Clerk. Palmer votes aye.

5675           \*Mr. Johnson. The clerk will report.

5676           \*The Clerk. Chair Johnson, on that vote we have 26 ayes

5677 and 22 noes.

5678           \*Mr. Johnson. The ayes have it, and the bill is

5679 adopted.

5680           Without objection, staff is authorized to make technical

5681 and conforming changes to the legislation approved by the

5682 committee today.

5683           So ordered.

5684           Without objection, the committee stands adjourned.

5685           [Whereupon, at 3:12 p.m., the committee was adjourned.]