This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available. 1 NEAL R. GROSS & CO., INC. 2 RPTS CIAVARRA HIF347030 3 4 5 6 THE IMPACTS AND FUTURE OF NORTH AMERICAN 7 ENERGY TRADE 8 WEDNESDAY, DECEMBER 13, 2017 9 House of Representatives 10 Subcommittee on Energy 11 Committee on Energy and Commerce 12 Washington, D.C. 13 14 15 16 The subcommittee met, pursuant to call, at 10:15 a.m., in 17 Room 2322 Rayburn House Office Building, Hon. Fred Upton [chairman 18 of the subcommittee] presiding. 19 Members present: Representatives Upton, Olson, Barton, 20 Shimkus, Latta, McKinley, Kinzinger, Griffith, Johnson, Flores, 21 Mullin, Cramer, Walberg, Duncan, Rush, McNerney, Peters, Welch, Tonko, Loebsack, and Pallone (ex officio). 22 23 Staff present: Samantha Bopp, Staff Assistant; Allie Bury,

Legislative Clerk, Energy/Environment; Wyatt Ellertson, Research 24 Associate, Energy/Environment; A.T. Johnston, Senior Policy 25 Advisor, Energy; Ben Lieberman, Senior Counsel, Energy; Mary 26 27 Martin, Deputy Chief Counsel, Energy & Environment; Brandon 28 Mooney, Deputy Chief Energy Advisor; Mark Ratner, Policy Coordinator; Annelise Rickert, Counsel, Energy; Dan Schneider, 29 Press Secretary; Peter Spencer, Professional Staff Member, 30 Energy; Jason Stanek, Senior Counsel, Energy; Madeline Vey, 31 32 Policy Coordinator, Digital Commerce and Consumer Protection; Priscilla Barbour, Minority Energy Fellow; Jeff Carroll, Minority 33 Staff Director; Rick Kessler, Minority Senior Advisor and Staff 34 35 Director, Energy and Environment; John Marshall, Minority Policy Coordinator; Alexander Ratner, Minority Policy Analyst; Tuley 36 Wright, Minority Energy and Environment Policy Advisor; and C.J. 37 38 Young, Minority Press Secretary.

Mr. Upton. Good morning. Good morning, everybody, and welcome to everyone that's here. Appreciate you all taking time so close to the holiday season to be with us today. That's for certain. This hearing builds upon the Energy and Commerce Committee's impressive record of hearings on energy security, job creation, and infrastructure.

One of the many things that I appreciate about this
subcommittee is that we have members who represent both northern
and southern border states.

As a proud Michigander, I will be focusing my comments and questions more on our relationship with Canada, while I am sure my friends from Texas -- it was a nice win by Michigan over Texas in basketball last night -- will be focusing more on Mexico.

52 But one thing I want to make clear, this hearing is about 53 North American integration, specifically, the impacts and future 54 of North American energy trade.

55We want to examine how North American energy trade has56strengthened all of our economies and our trading relationships.57Nationally, 14 million jobs are tied to trade with Mexico58and Canada. In Michigan, it is nearly 400,000. This trade makes59us more competitive internationally and can prove to be the60difference between creating or shedding

61 jobs.

62 Eighty-four percent of petroleum and coal products exported from Michigan go to either Mexico or Canada. The energy markets 63 of Canada, Mexico, and the U.S. are becoming 64 increasingly interdependent, thanks in large part to the free 65 66 trade status of energy commodities. 67 When we think about energy trade, we are including crude oil, refined petroleum products and other liquids, natural gas, and 68 69 electricity. 70 To sum it up, we have transmission lines that go across the 71 border, we have got pipelines that go across or under the border, and we have goods and services that go across the 72 73 border as well. Energy trade is much more than just commodities. There is 74 75 also a huge supply chain supporting everything. The multiplier 76 effect of energy trade is great throughout our economy. 77 Trilateral engagement is not just about trade, but also about 78 information sharing. Just last month, the Energy Information 79 Administration announced the launch of a 80 website on North American Cooperation on Energy Information, or 81 NACEI. 82 This resource consolidates energy-related data, maps, references from the U.S., Canada, and Mexico. The current areas 83 84 of focus include comparing, validating,

85 and improving respective energy import and export information; sharing publicly available geospatial information related to 86 energy infrastructure, and exchanging views and information on 87 protection of cross-border energy flows with the harmonization 88 89 terminology, concepts, and the definitions of energy products. 90 This will allow each country to work together for the benefit of all three countries. 91 92 The centerpiece of our trade relationship, of course, is 93 NAFTA, which entered into force on January 1st, 1994. On May 18th of this year, the Trump Administration sent a 90-day notification 94 to Congress of its intent to begin talks with Canada and Mexico 95

96 to renegotiate NAFTA.

97 Currently, negotiations are holding intersessional meetings
98 in Washington though mid-December in advance of a sixth round of
99 negotiations which are scheduled to be

100 held from January 23rd to the 28th in Montreal.

101 My expectation is that today's hearing will provide some 102 context for the NAFTA negotiations. I look forward to hearing 103 the testimony of our witnesses and engaging in a conversation 104 about the benefits of a robust North American 105 energy sector.

106 And with that, I yield to the ranking member of the 107 subcommittee, Mr. Rush.

I want to thank you, Mr. Chairman, for holding 112 Mr. Rush. this important hearing on the impact and future of the North 113 114 American energy and trade. Mr. Chairman, I have held several meetings with relevant 115 116 stakeholders concerned with the Trump administration's ill-advised decision to try and unilaterally change or get rid 117 118 of existing agreements, existing accords, and treaties. 119 Unfortunately, Mr. Chairman, we have heard the president 120 talk of reneging on a mass array of deals signed by the previous 121 administration on everything from the Iran nuclear deal to the

122 Paris agreement up to and including major trade agreements such 123 as NAFTA.

Personally, Mr. Chairman, while I did not vote for NAFTA when it came before the House, I do have concerns over the constitutionality of a president singlehandedly changing or overturning a trade agreement that was passed by Congress.

Additionally, Mr. Chairman, and as importantly, I also have grave concerns over the global perception of the credibility of the United States when neither our friends or allies nor other foreign powers can depend on the sincerity of the U.S. government if anything a new president -- if at any time a new president takes office he or she chooses to reverse or renege on agreements signed under the previous administration.

Unfortunately, Mr. Chairman, this appears to me a recurring theme of this president's chaotic governing philosophy where no previous accord is ever safe from interference and any promise can be voided at any time regardless if it is made to friend or foe.

Mr. Chairman, based just on the merits, the Energy Information Administration estimates that energy trade between the North American countries exceeded \$140 billion just in 2015 alone and with the U.S. importing an estimated \$100 million and exporting over \$40 million in energy products with Canada and Mexico.

Additionally, Mr. Chairman, just last year, former President Obama signed the North American Climate, Clean Energy, and Environment Partnership along with his counterparts from Canada and Mexico.

This important agreement established several objectives, Mr. Chairman, and benchmarks aimed at advancing clean energy and reducing climate changing -- climate inducing pollutants between all three countries with the goal of 50 percent clean power generation by the year 2025.

155 Mr. Chairman, this pact would also help to develop 156 cross-border transmission partners while improving it and 157 aligning appliance and equipment efficiency standards between all

158 three partners.

At a time when the U.S. has become more intertwined and interdependent in our dealings with other countries both economically as well as for national security purposes, we cannot expect to be seen as a credible leader within the global arena while at the very same time thumbing our nose at previous deals and agreements just because they were signed by a president from another party.

Instead, we must show leadership in Congress to demonstrate to our friends and allies as well as to our foes and competitors that the U.S. will honor the deals that we signed and we will not renege on our promises.

170 Mr. Chairman, I want to thank you. I look forward to hearing 171 from our witnesses today and also want to at the same time welcome 172 our witnesses.

173 And I yield back the balance of my time.

174 Mr. Upton. Chairman yields back.

175I know the chairman of the full committee is on his way from176the hearing that's downstairs. So at this point I'll yield five177minutes to the ranking member of the full committee, Mr. Pallone.178Mr. Pallone. Thank you, Mr. Chairman.

179 Regardless of the outcome of the current NAFTA talks, the180 U.S. will continue to trade fossil fuel commodities with Canada

181 and Mexico for years to come and I'd like to see a change in our 182 focus.

183 Rather than focusing on trading fossil fuel commodities, we
184 should prioritize expansion of renewable energy technologies and
185 how they can benefit the North American electricity grid.

According to the Energy Information Administration, more than half of new electricity-generating capacity added to the grid between 2014 and '16 came from renewable technologies and we should look at expanding this technology so that we can make renewables a larger part of our electric exports.

191 In 2009, the U.S.-Canada clean energy dialogue was launched 192 to encourage clean energy technology development among our two 193 nations when key aspect of this collaboration focused on expanding 194 and modernizing the North American transmission grid to 195 facilitate movement of renewable power between the United States 196 and Canada, and right now there are several large-scale 197 transmission projects in the works to bring renewable power across 198 the United States' borders with Canada and Mexico and the 199 modernization of the grid in order to facilitate these types of 200 projects is critical to the overall future of energy development 201 in North America.

202 The United States has also forged a strong agreement with 203 Canada and Mexico to address climate pollution and advance clean

204 energy.

In 2016, the countries established the North American Climate, Clean Energy, and Environment Partnership. Collectively, the partnership set a goal of 50 percent clean power generation and the more than 40 percent reduction on methane emissions by 2025.

And the Trump administration has been silent on this commitment. But based on the president's foolish decision to walk away from the Paris climate agreement, I do not have high hopes that he will fulfill this commitment.

It's unfortunate that the Republic majority has focused today's hearing primarily on fossil fuels. Instead, I believe it's even more important for us to focus on ways we can continue to work with our neighbors to reduce carbon emissions and expand trade and clean energy technologies. We have a knowledgeable panel of witnesses before us and I look forward to hearing their testimony.

I don't know if anyone else wanted -- yes, I yield the remainder of my time to Mr. Green.

223 Mr. Green. Thank you, Ranking Member, for yielding to me. 224 Energy trade between the U.S., Canada, and Mexico has been 225 at all-time high in recent years. Where the U.S. is the largest 226 producer of crude oil on the continent, Canadian reserves far

227 outstrip our own. Mexico also has significant discoveries of 228 offshore sites in the Gulf over this summer.

229 Many Texas refineries rely on Mexican imports for their 230 source of crude oil. At the end of this year, Mexico has a demand 231 of about 600,000 barrels a day of gasoline imports due to their 232 lack of refining capacity.

A huge percentage of this 600,000 barrels of day will come from the refinery complexes we have along the Texas Gulf coast. While the U.S. and Canada have integrated our energy markets to a great degree post-NAFTA and with Mexico's recent reforms in the coming years cooperation among the countries will only get stronger.

NAFTA has been a success in many ways but did not contain
many provisions on energy policy. Our first goal when discussing
how to improve NAFTA should be closer ties and friendship among
all three countries.

243 Our second goal should be an integrated North American energy 244 market. This is one reason I introduced our cross-border 245 infrastructure bill with our colleague, Representative Mullin, 246 earlier this year.

There are 11 cross-border projects awaiting a decision by the Department of State in the present and including electric lines and water pipelines. It's Congress' responsibility to

250 create the regulatory rules by which infrastructure is 251 constructed.

252 Our bill, H.R. 2883, which passed our committee on the floor 253 of the House, would create a regulatory process at the Federal 254 Energy Regulatory Commission, Department of State, Department of 255 Energy to permit cross-border infrastructure by recognizing the 256 energy trade between Mexico, Canada as in our national interest. 257 It is my hope that the Senate will soon take up this language 258 so we can continue building on that success and we should embrace 259 the changes taking place in North America and harmonize our 260 policies with those of our neighbors to the north and the south. 261 And again, thank you for the time by our ranking member. 262 I yield back.

Mr. Upton. The gentleman yields back.

263

We are ready for the testimony. I want to appreciate our witnesses providing the testimony in advance. It'll be made part of the record.

You will be given each the opportunity take five minutes to
summarize that statement and then we will begin with questions.
Our witnesses today, Karen Harbert, president and CEO,
Global Energy Institute, U.S. Chamber of Commerce, and a former
under secretary from the Department of Energy -- goes back a long
ways; Chet Thompson, president of the American Fuel and

273	Petrochemical Manufacturers; Allen Burchett, global head of
274	strategic projects on behalf the National Association of
275	Manufacturers; and Alan Krupnick, senior fellow for the Resources
276	for the Future.
277	Ms. Harbert, we will start with you. Welcome. Nice to see
278	you.

- 279 ?STATEMENTS OF KAREN HARBERT, PRESIDENT AND CEO, GLOBAL ENERGY
 280 INSTITUTE, U.S. CHAMBER OF COMMERCE; CHET THOMPSON, PRESIDENT AND
 281 CEO, AMERICAN FUEL AND PETROCHEMICAL MANUFACTURERS; DR. ALAN
 282 KRUPNICK, SENIOR FELLOW, RESOURCES FOR THE FUTURE; ALLEN
 283 BURCHETT, GLOBAL HEAD OF STRATEGIC PROJECTS, ABB INC., ON BEHALF
 284 OF THE NATIONAL ASSOCIATION OF MANUFACTURERS
- 285

286 STATEMENT OF MS. HARBERT

Ms. Harbert. Nice to see you. Thank you, Mr. Chairman, and
thank you, Ranking Member Rush, and all members of the committee.
As the chairman said, I am Karen Harbert, president and CEO
of the U.S. Chamber of Commerce's Global Energy Institute.

As many of you have noted, the U.S., Canada, and Mexico have a long history of shared energy trade but for most of that time as a global economic leader and a large energy consumer the U.S. has been purchasing large supplies of oil and natural gas from both nations.

296Today, the U.S. has the largest hydrocarbon resource base297in the world plus very large nuclear and renewable bases in this298country.

The speed with which the U.S. has moved from energy scarcity to abundance has been nothing short of breathtaking. The U.S. is fortunate to have two neighboring countries -- Canada and

302 Mexico -- that are also large energy producers. Canada ranks 303 number eighth globally and Mexico twenty-fourth.

304 Unthinkable 10 years ago today, North America's abundant 305 energy resources are upending the global energy market. Combined 306 production from the U.S., Canada, and Mexico accounts for 19 307 percent of all crude oil, 20 percent of natural gas, and 12 percent 308 of all coal output.

Having a large share of world energy production in North America not only helps our own energy and national security, it also helps global energy security by diversifying supplies, ensuring that a large share of global output occurs in reliable countries.

314 We have always had a very open trade relationship with 315 Canada. While our trade relationship with Mexico has 316 traditionally been strong, Mexico has long prohibited foreign 317 investment in its hydrocarbon sector.

318 But that all changed in 2013 when Mexico instituted 319 constitutional reforms to put an end to the more than 70-year 320 monopoly enjoyed by state-owned oil company Pemex.

Today, the U.S. is a net importer of crude oil from both Mexico and Canada. In 2016, the U.S. imported about 580,000 barrels per day from Mexico and nearly 3 million barrels per day from Canada.

325 Notably, the U.S. now imports more oil from Canada and Mexico 326 than OPEC. That's very important to take note of. 327 Since 2011, the U.S. has been a net exporter of refined 328 There was lively trade in products among U.S., Canada, products. and Mexico, and the trends now favor the United States, growing 329 330 its share. 331 Although the U.S. is a net importer of natural gas from 332 Canada, that is not expected to remain much longer. The U.S. has 333 been a net exporter of gas to Mexico since the mid-1980s and 334 exports are growing tremendously. 335 As more infrastructure is added linking the U.S. and Canada, 336 we welcome legislation to facilitate that. We expect that the U.S. will be a net exporter to both countries. 337 338 In 2016, Mexico and Canada accounted for 13 percent of all 339 U.S. net coal exports which yielded a \$440 million trade surplus. 340 We expend the downward trend in coal exports to continue and 341 exports to other countries to grow. We have a growing and

integrated electricity market. There are 25 transmission
crossings between the U.S. and Canada and 11 crossings between
the United States and Mexico.

345 So in summary, for the last six years we have been running 346 a trade surplus with Canada and Mexico in refined petroleum and 347 coal, and while the trade deficit in oil and gas remains, it will

348 be shrinking rapidly.

370

The abundance of affordable energy in North America has given U.S. businesses a critical leg up. We pay about two to four times less for natural gas, coal, and electricity than many of our competitors.

353 But the benefits aren't limited to just industry. It's 354 consumers, too. Over the last six years, average annual 355 household energy expenditures declined by 14.1 percent.

Now on to NAFTA. As these trends demonstrate, the U.S.
energy economy has nothing to fear from NAFTA and a lot to gain.
A modernized NAFTA could sustain advantages for North American
industry and advance the market-based integration of our energy
sectors.

However, we are concerned that withdrawing from NAFTA would impose unacceptably high cost to the U.S. when we are engaged in historic tax reform and regulatory reform to get our economy growing above 3 percent.

We are also worried about attempts to undermine the investor state dispute settlement protections in NAFTA, which are indispensable to maintaining our growing energy sector and provide neutral arbitration to ensure other countries treat our investors fairly.

In short, the robust energy trade amongst the U.S., Canada,

371	and Mexico would be threatened by a withdrawal from NAFTA. Given
372	all of this, it is our strongest recommendation that if NAFTA
373	modernization cannot be reached that the administration must
374	retain its commitment to the current trade agreement.
375	Today, the story of North American energy is one of increased
376	economic, national, and energy security for all three countries.
377	Thank you very much.
378	[The statement of Ms. Harbert follows:]
379	
380	*********INSERT 2*******

Mr. Upton. Thank you.

Mr. Thompson.

383 ?STATEMENT OF MR. THOMPSON

384

385 Mr. Thompson. Good morning, everyone. Thank you, Chairman 386 Upton, Ranking Member Rush, and the rest of the subcommittee 387 members for the opportunity to testify today.

My name is Chet Thompson. I am the president of American Fuel and Petrochemical Manufacturers. AFPM represents 97 percent of the nation's refining and petrochemical manufacturing capacity including 118 refineries, 248 petrochemical facilities in 33 states.

We support more than 3 million jobs and add approximately \$600 billion each year to the U.S. economy. Our members make the gasoline, the diesel, the jet fuel, and the petrochemicals that make our modern way of life possible.

397 We are the world's largest refining industry today and a 398 global leader in petrochemical production, making us the backbone 399 of global manufacturing and transportation.

400Our energy trade relationships with Canada and Mexico are401critical to enhancing our position. I am going to expand -- I402would like to expand on only a few points in my written testimony.403First, Canada and Mexico are helping us achieve North404American energy security. Although U.S. crude production has405increased dramatically over the last, you know, decade or so, our

406 refineries still import on average 8 million barrels a day of 407 crude.

Canada and Mexico combined supply nearly have of this volume.
In fact, Canada is the largest supplier of crude oil to the U.S.,
supplying more than 3 million barrels a day, or 41 percent of all
of our imports.

We get more from Canada than all the other OPEC members combined. Mexico supplies 600,000 barrels a day. They're our fourth largest supplier, representing 7 percent. Not only do we support to our neighbors -- import from our neighbors but we also export a substantial amount of our energy as well.

The U.S. exports nearly 5 million barrels per day of
petroleum products. About a third of that goes to Canada and
Mexico each year. Mexico is our largest export market for
U.S.-refined products.

Last year, we exported approximately 14 billion gallons of petroleum products to Mexico. This helped meet more than half of their gasoline demand and contributed approximately \$11 billion of energy trade surplus -- surplus with Mexico.

Likewise, we exported almost 9 billion gallons to Canada. Together, exports to Canada and Mexico have grown from essentially zero before NAFTA to more than 1.4 million barrels per day. That's about 7 percent of our total refining production and

429 about a third of our exports just to those two countries alone. As a result of our increased energy production and the 430 431 increasingly integrated North American energy market, the IEA now 432 projects that North America will be energy secure by 2020. 433 This is good for our country and it's good for the American 434 consumer. We also export a substantial volume of chemicals to 435 both Mexico and Canada. Trade in all chemicals has more than tripled over the last two decades from approximately \$20 billion 436 437 in 1994 to \$63 billion in 2014. 438 My second point -- North American trade is growing our 439 economy. Our relationships with Canada and Mexico have made our 440 energy industry strong and that strength has attracted more 441 investment. 442 Indeed, right now there is more than \$185 billion in the queue 443 for further investments in our refining and petrochemical 444 industries. 445 With that investment comes the need for more employment and 446 a strong work force. Demand for skilled labor positions is 447 expected to grow by 12 percent by 2024. We will hire additional 448 skilled labor to work as welders, electricians, pipefitters, 449 boilermakers, and many other positions. 450 Changes in the global energy market, advances in technology,

23

and legal reforms will provide further opportunities for U.S.

452 companies. For example, the opening of the Mexican energy sector
453 has allowed us to compete and sell our products in Mexico, leading
454 to billions of dollars of investment by U.S. companies.

455 My last point I would like to make is that AFPM fully supports 456 NAFTA and believes it helps achieve energy security. North 457 American energy security is the result of our plentiful natural 458 resources that we are blessed with, the ingenuity of our energy 459 sector, but also NAFTA. NAFTA has played a very important role 460 in our growth.

Thus, we support the continuation of NAFTA but think the agreement should be modernized. For example, NAFTA's investment protection should be strengthened consistent with other more recent U.S. free trade agreements, or at the very least, investor protections must be maintained.

Second, NAFTA should help increase regulatory coordination
in cross-border energy infrastructure. Finally, NAFTA customs
procedures should be streamlined and modernized to reflect the
way that energy and petrochemical trading occurs today across our
borders.

471 So, again, I appreciate the opportunity to be here and look472 forward to answering your questions.

473

Thank you.

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475

477 Mr. Upton. Thank you.

Dr. Krupnick.

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501 Free trade in energy and electricity promises greater economic 502 prosperity, a cleaner environment, and greater energy security 503 in all three countries.

These countries have been moving towards harmonization in these sectors for years now. On the economic front, the Mexican energy reforms opened up oil and gas leasing and exploitation to U.S. companies. The reforms also expanded markets for our pipelines, generation technology, and natural gas.

509 Mexico continues to greatly increase natural gas imports 510 from the U.S. to replace oil fire generation. This development 511 will reduce electricity generation costs, lower air pollution 512 emissions from power plants, and increase energy security for 513 Mexico, which is a good thing.

And U.S. producers have access to a large market for their natural gas. If, however, NAFTA negotiations go badly or if political interference in the strait occurs, we could see increase costs and delays in exporting gas.

518 We might even run the risk of Mexico eventually turning away 519 from the U.S. as a supplier, and we certainly wouldn't want that 520 for American producers or Mexican consumers.

521 The electricity sector, likewise, can benefit from increased 522 integration. We have found the cross-border interconnections

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523 and capacity planning occur less frequently than they should to 524 maximize electricity reliability.

525 On the environmental front, as was mentioned, during the 526 Obama administration the U.S. became party to several tripartide 527 agreements to improve energy efficiency, reduce methane 528 emissions, work towards major CO2 reductions.

529 These gains are being reversed by the Trump administration 530 even as Canada and Mexico continue to solidify their policies to 531 reduce greenhouse gases.

532 Canada has implemented a national carbon price for provinces
533 that do not already have a price for trading system. Mexico,
534 along with its limited carbon tax, is in the process of
535 implementing a pilot cap and trade program, and joining California
536 and some Canadian provinces in that.

537 So what can be done in general and specifically by Congress 538 to realize the benefits of greater harmonization? First, the 539 bill that you have introduced is a great start and be vocal in 540 supporting free energy trade and investment protections already 541 in NAFTA. We wary of unintended consequences of NAFTA failing. 542 Second, remember that as the U.S. continues to roll back 543 climate regulations such as its methane rules, our neighbors may 544 grow increasingly concerned about competitiveness issues.

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545 Mexico and Canada may likewise become hesitant in efforts to align environmental policies in the future, limiting our 546 547 opportunities that might improve environmental outcomes at lower 548 cost to the private sector and consumers here in the United States. 549 Third, Congress can support past and future efforts to align 550 economic, environmental, and safety regulations for offshore 551 drilling in the Gulf of Mexico. There is already an agreement 552 to build upon and DOI has worked closely with Mexican regulators 553 to share best practices and align offshore safety regulations. 554 Such work should continue so that we can ensure successful and 555 responsible offshore drilling. 556 Fourth, Congress can help promote, along with our neighbors' 557 counterparts, the vision of renewable capacity growth in areas 558 that capture their locational advantages -- for instance, solar 559 in Mexico, hydro in Canada -- for selling into an integrated North

560 American grid.

Lastly, Congress can work to further improve the U.S.
infrastructure siting and permitting process. Pipelines,
transmission lines are needed to execute this vision of a North
America system.

565 Streamlining and strengthening this process can occur while 566 improving environmental social outcomes, for example, by using

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567	cost benefit analysis in permitting decisions.
568	As our two neighbors are likewise facing similar challenges
569	in this area, we should aim to share best practice.
570	So, ultimately, the fates of the Mexican-Canadian-U.S.
571	energy sectors are intertwined. The interdependence actually
572	benefits the three countries, increases our joint energy
573	security.
574	Congress can play an important role in seeing this vision
575	become a reality.
576	Thank you.
577	[The statement of Mr. Krupnick follows:]
578	
579	**************************************

Mr. Upton. Thank you very much.

Mr. Burchett.

581

582 ?STATEMENT OF MR. BURCHETT

583

584 Mr. Burchett. Good morning Chairman Upton, Ranking Member 585 Rush, members of the subcommittee, and my fellow panellists. 586 Thank you for the opportunity to testify. My name is Allen 587 Burchett and I am global head of strategic projects for ABB. I am testifying on behalf of the National Association of 588 589 Manufacturers, which represent nearly 14,000 small, medium, and 590 large manufacturers in every industrial sector and in all 50 591 states.

We are the number-one manufacturer of power grids in the world and a leader in industrial automation for the petrochemical industries. We are the number-one producer of electric motors and the second largest producer of electric drives and industrial robots. We supply the energy, the electricity, and manufacturing sectors with enabling technologies that help them stay competitive.

ABB has a strong and growing U.S. manufacturing footprint and is proud of our 20,000 employees across 50 manufacturing facilities including those in Michigan, Texas, Oklahoma, Ohio, Virginia, and North Carolina, which is home to our U.S. headquarters.

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604Over the past decade, we've invested over \$11 billion the605United States, tripling our workforce. We have chosen to invest606in the U.S. because it's our largest market worldwide and we607believe in being close to our customer. We believe in the608American worker.

A strong North American supply chain has supported our
domestic growth and investments, enabling ABB to competitively
manufacture here.

For manufacturers throughout the U.S., the North American commercial market is the most important market in the world. Over 614 60 percent of U.S. manufacturing output in 2016 -- \$1.36 trillion 615 -- was sold in the U.S., Canada, and Mexico.

Canada and Mexico alone purchased one-fifth of all
U.S.-manufactured goods in 2016, more than the next 10 U.S.
trading partners combined. Eleven manufacturing sectors have
experienced growth of more than 50 percent since 1993.

620 Of particular interest to this subcommittee, energy products
621 have led the pack, with over 250 percent growth. Most U.S.
622 manufacturing sectors, 36 out of 42, count Canada or Mexico as
623 their top foreign market.

Despite growth in manufacturing and a changing energylandscape has created a major need for new and improved energy

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626 delivery infrastructure. Investor-owned utilities alone expect 627 to invest more than \$300 billion over the next three years. 628 ABB has been a participant in this manufacturing boom and 629 has developed an integrated North American supply chain that 630 supports our domestic manufacturing capabilities and operations. 631 While much of the manufacturing of these technologies 632 happens domestically -- many of our customers are domestic --633 certain parts of the manufacturing processes occur in Canada and 634 Mexico, and many of the offerings produced in the U.S. are exported 635 to customers in Canada and Mexico.

I would like to provide a few examples. ABB is the largest
producer of power transformers in the world. These transformers
can be found at power plants, manufacturing facilities, and in
neighbourhoods across the U.S. We build transformers at plants
in Mississippi, Virginia, Missouri, and Tennessee.

641 Yet, the insulation material used as inputs into these
642 transformers are sourced from a Canadian company. In
643 Bartlesville, Oklahoma, ABB manufactures measurement and
644 analytics products for the oil and gas sector.

Our factory imports metal housings from the supplier in
Mexico and electronic circuit boards from an ABB plant in Canada,
which are both then incorporated into the final products

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648 manufactured in Oklahoma.

Many of our U.S. factories also export to Canada and Mexico.
For example, 50 percent of high-voltage surge arresters
manufactured in Mount Pleasant, Pennsylvania are sold to Mexico
and Canada.

ABB's Sugarland, Texas facility supplies electric
infrastructure control systems to Mexico's electric grid operator
and Canadian power generation.

Restrictions on trade or new barriers between the U.S., Canada, and Mexico including on data transfer and digital solutions would put up barriers too large on markets in Canada and Mexico and could put upward price pressure on the U.S.-manufactured goods to all of our North American customers, potentially making U.S.-made products less competitive and adversely affecting our domestic factories.

In conclusion, ABB believes the future of the U.S. economy
is bright. This is particularly true on the energy sector. The
integration of the three major North American economies has
enhanced ABB's competitiveness, encouraged our investments in the
United States.

668 Building on the North American Free Trade Agreement's legacy 669 of economic growth and job creation, we can set the stage for

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670	further gains in these areas by modernizing the agreement in ways
671	that eliminate remaining distortions and barriers, raise
672	standards, strengthen neutral enforcement mechanisms, and remove
673	unnecessary red tape at the border.
674	Thank you for the opportunity to testify before the
675	subcommittee today and I look forward to answering your questions.
676	[The statement of Mr. Burchett follows:]
677	
678	********INSERT 5*******

679 Well, thank you. Thank you all for Mr. Upton. participating and at this point we'll start our questions. 680 681 I have to say at the onset that, boy, if there's anything 682 that our constituents understand it's gas prices and, you know, 683 back in 2008 the average gas at the pump was \$384 a gallon. Today, 684 or this last weekend I saw it for \$2.24. 685 But I think maybe it's a little bit higher in some other areas 686 of the country. But it's a pretty dramatic decline and, you know, 687 as you think about what NAFTA has done and where we are, as you 688 pointed out in your testimony, Ms. Harbert, that we've now been 689 running a trade surplus with Canada and Mexico in refined 690 petroleum and coal and the trade deficit with these countries in 691 oil and gas has been shrinking rapidly. 692 It's in large part because we now really truly have a North 693 American energy independent plan that is -- that is coming to 694 fruition, which is one of the reasons why these prices of energy 695 have fallen, whether it be in LNG, whether it be with the gas at 696 the pump as well. 697 You indicated at the end of your testimony that if NAFTA was 698 changed dramatically it truly would threaten our -- not only our energy security but I have to presume it would also dramatically 699

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increase prices to consumers as well.

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701 Can you -- can we explore that a little bit? 702 Ms. Harbert. Certainly. We have benefited from increased trade in North America and by lifting the oil export ban and 703 704 increasing our LNG exports around the world the American consumer 705 and the American industry has benefited tremendously. 706 Consumer prices have gone down by about 14 percent, and if 707 that were to change and for some way we would jeopardize either the certainty provided by NAFTA or the investor protections 708 709 provided by NAFTA or even the reforms that have been undertaken in Mexico, that would threaten production in the United States 710

712 It would also undermine current investments planned for 713 Mexico, which would then bottle in some of our domestic capacity. So it's a lose-lose if we undermine NAFTA in any way that has been 714 715 the basis for an incredible energy integration effort that is 716 providing tremendous benefits to industry, consumers, to our 717 national security as we are now getting more oil from them than 718 from OPEC, and also, obviously, our energy security.

because it could not find its natural markets.

719 Mr. Upton. Mr. Thompson, as we know, the Gulf Coast is home 720 to the most technologically advanced refineries in the world. Many of us have been down there to see these advances. 721 722

How has the North American energy integration benefited the

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723 consumers of these products and what -- how might we strengthen 724 as these negotiations are going on with the three countries? 725 What might you suggest to actually improve our situation in 726 regard -- in regard to the technological improvements that could 727 be done?

728 Mr. Thompson. Thank you for the question.

729 I will just add that we have sophisticated facilities in far 730 more than just Texas. We have some in your fine state and we have 731 them in 33 states. So there's -- you know, a strong energy sector 732 helps out most of the country.

As far as, you know, NAFTA goes, as we talked about it, it's pretty simple at its core. We got a lot of product from Canada and we were able to sell a lot of finished goods to Mexico, and this is good for consumers.

We get more than -- you know, 40 percent of all of our imports
come from Canada and we get it, you know, duty free. So that means
lower price for crude, which benefits the American consumer.

As far as additional protections, you know, we think that a more robust chapter in NAFTA dealing with energy, dealing with how it's developed and the modern way its trade would benefit all. We certainly believe that we would benefit from having the three countries work together on infrastructure. So we can find

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745 the best ways to get crude to our refineries and products to 746 consumers in the most efficient way.

Mr. Upton. So, Ms. Harbert, you know, as we think back to where we were, back particularly in the '70s, I mean, we've got the new abundance that's there now -- the developments in shale technology, all those different things.

Many of the laws and regulations were written back in those days when we weren't exporters. What are some of the things -what are some of the things that we could do to prevent us from being held back as it relates to energy exploration and increasing exports to -- not only to these two countries but the other countries around the world?

757 Ms. Harbert. Well, first, I think it's do no harm. Don't 758 do anything to impair our ability to export to North America and 759 beyond. Make sure that we can get those export facilities sited 760 very quickly.

We have to make sure that the regulatory process -- and you
guys have been working on this -- is fair, transparent, and
incorporates cost benefit analyses.

And last but not least, there is significant room for permitting reform both within the country to move our products around more efficiently and also to export them to North America,

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767 both to Canada and to Mexico, and to import them as well. We've had a seven-year waging war on importing more oil from 768 769 Canada. But we shouldn't lose sight of the fact that we have a 770 tremendous opportunity to export our own natural gas --771 clean-burning natural gas -- to Mexico with some additional 772 permitting reforms. 773 So both, I think, a laser like focus in the upcoming debate 774 on infrastructure in the Congress, who really need to take a very 775 hard look at continuing reg reform and certainly permitting 776 reform. 777 Mr. Upton. Thank you. 778 Mr. Rush. 779 I want to thank you, Mr. Chairman. Mr. Rush. 780 Dr. Krupnick -- Dr. Krupnick, right? 781 Mr. Krupnick. Sorry. Krupnick, yes. 782 Mr. Rush. Krupnick. I am sorry. In your written 783 statement you ask the members to envision a world where the three 784 North American countries act as a free trade energy bloc which 785 could rival every other nation or bloc in its ability to influence world markets for oil and gas. 786 787 If we were to continue along the path we are currently on 788 with no changes to NAFTA and additional coordination,

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789 harmonization, and integration between the U.S., Canada, and Mexico, how long do you envision it would take for North America 790 791 to truly rival a competitor like OPEC? 792 Mr. Krupnick. Well, this is -- this idea of a future energy 793 bloc -- the United States, Canada, and Mexico operating as a unit 794 -- is, I think, a useful exercise to think about an ideal situation 795 from an energy perspective. 796 We are, obviously, I don't think, ever going to head in that 797 -- we are heading in that direction but we are never going to be We are not going to have an E.U. type structure with 798 there. 799 Mexico, Canada, and the United States. 800 But I think it's useful for thinking about how to realize 801 as many gains from trade and as many -- as lowest possible cost 802 to industry of addressing environmental regulations, let's say, 803 by harmonizing those regulations across countries so that there's 804 sort of only one regulatory model that industry needs to address. 805 So I think it's a useful paradigm. It's not something I see 806 that's actually going to happen in my lifetime, anyway. 807 Mr. Rush. Thank you. 808 Mr. Thompson, in your testimony you noted that in 2016 alone the U.S. exported \$20.2 billion worth of energy products to Mexico 809 810 and imported \$8.7 million worth of energy products.

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How -- in terms of jobs, how many U.S. energy jobs would potentially be impacted if the administration were to unilaterally make changes to NAFTA in a way that might upset our two trading partners and possibly hurt the mutually beneficial energy trade that we all can agree is very notable and profitable for all three countries?

Mr. Thompson. Thank you for the question.

818 We are optimistic that we are going to come through with 819 modernized NAFTA and these negotiations are going to stay on 820 track.

We certainly are proud of our -- what our industry means from an employment perspective. As I said in my testimony, we support 3 million jobs and those jobs are there because of our strong energy sector and it certainly are going to be strengthened the more we work with our neighbors to the north and the south.

We believe that there's lots of opportunities in Mexico now that they have liberalized their energy network and we already have a number of companies. We have Andeavor and Valero and Exxon Mobil have entered the market -- the downstream market in Mexico for the first time in many, many decades.

We are supplying over half of their gasoline needs and that's going to continue grow and as that grows it's going to strengthen

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817

833 our need for employment.

Mr. Rush. I want to just ask all the panellists, is there anyone on the panel who believes that we would benefit -- our nation would benefit if the administration unilaterally opened up negotiations on NAFTA and insists on establishing new terms that would be more beneficial to the U.S.?

839 Mr. Thompson. Well, to be clear, we certainly believe that 840 NAFTA would benefit by being modernized. So we do think if 841 modernized it could benefit the energy industries we talked about.

We believe that there could be a more robust chapter on energy in NAFTA. We believe that the United States should make sure that, you know, direct investors are protected, particularly now that Mexico has liberalized its energy system.

We think that a modernized NAFTA could do that. We think that it could be enhanced to help us with regulatory cooperation with Mexico and Canada. So there are, Mr. Rush, lots of things that could be improved through NAFTA modernization.

Ms. Harbert. We, at the Chamber, believe that withdrawal would be devastating to the U.S. economy. Modernization is preferable. First, do no harm and then make it better.

That's what modernization means, and that includes, from American business perspective, making sure that we have those

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- 855 investment protections in place that ensure that we have an 856 ability to adjudicate our disputes fairly.
- 857 So we need to stay in this game. I think we've all laid out 858 -- all the panellists have laid out the stakes. They're high, 859 and we need to find a way to get to yes.
- 860 Mr. Rush. Thank you.

Mr. Krupnick. I just want to raise, there's more going on than just NAFTA. So we shouldn't lose sight of these other agreements that the administration is giving short shrift to or even walking away from on the environmental side.

865 Mr. Burchett. From a North American Manufacturers' and an 866 ABB point of view. We support modernizing the agreement.

- 867 Mr. Rush. Thank you.
- 868 Mr. Chairman, I yield back.
- 869 Mr. Upton. Thank you.
- Mr. Barton.

871 Mr. Barton. Thank you, Mr. Chairman and Ranking Member872 Rush, for holding this hearing.

Before I ask my questions, I want to thank Karen Harbert for
her help in passing the repeal of the ban on crude oil exports.
You and the Chamber were big helps in that, and we've exported
as much as 2 million barrels a day in the last year and I think

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877 we are about a million and a half barrels a day now. So thank 878 you and your organization for that.

I want to ask a little bit different question than Mr. Rush did, but it's basically the same thing. From reading your testimony and listening, my impression is that all of your organizations support staying in NAFTA in some way.

883 Is that true? Is there anybody that advocates getting out 884 of the NAFTA treaty?

Everybody's shaking their head so we'll say that that's a no. I will ask Mr. Thompson, is -- will there ever be a day when the U.S. refineries, which has really configured their refineries to use the heavier Mexican and Canadian crudes, that they will reconfigure to focus on the lighter U.S. shale crudes?

Mr. Thompson. Well, I certainly couldn't say there will never be day. But right now, I think they're configured in the most efficient way possible. As you know, oil is a global commodity and the most efficient -- you know, we are configured right now the most efficient that we can be. The heavier crudes that we are designed to handle we are handling and the lighter stuff that can be better processed is being exported.

And so can I say never? No. But I think right now we have a very efficient system that's operating the way the global market

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899 dictates.

900 Mr. Barton. Well, if that's the case, then we almost have 901 to maintain some sort of a NAFTA arrangement because the Canadian 902 and the Mexican crudes are the sour -- more sour, heavier crudes. 903 Is that not correct?

904 Mr. Thompson. That's correct. And, you know, I shook my 905 head in agreement but I will say it out loud.

906 Yes, we certainly and wholeheartedly agree that we should907 stay in NAFTA.

Mr. Barton. This is a little bit off the NAFTA issue. 908 But 909 in that happy day if it ever were to occur that we would actually 910 build a new U.S. refinery -- and I know that's unlikely -- I know 911 we expand and modernize -- but if were to actually from scratch 912 build a new U.S. refinery, how would that refinery be configured? 913 Would it still be configured for the heavier crudes that we 914 import or would it be configured to use the lighter crudes that 915 apparently now we are exporting?

916 Mr. Thompson. You know, frankly, I am not in the best 917 position not answer that. I think, you know, people much smarter 918 than me would design it in a way where they believe they'll have 919 the best access to crude.

920

Could it be configured to handle the lighter stuff? Sure.

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But there's arguments to handle the heavier stuff as well.
I will say on this point, you know, there is -- you know,
we have adequate refining capacity, you know, today to meet our
domestic needs. So, you know, right now there's no need to build
an additional refinery.

926 Mr. Barton. Okay. I will ask Ms. Harbert, with the -- I 927 don't know how you exactly how you say it but the Mexican 928 legislature and president have changed their policy and changed 929 their laws to allow international companies to own more and be 930 more invested in Mexico. How is that going? Are they --931 Ms. Harbert. Well, and first, let me thank you for your 932 support and leadership in lifting oil export ban which has done 933 a tremendous benefit to the American economy, and the EIA 934 estimated for 2018 we will -- we will produce more oil than ever 935 before in our nation's history and, obviously, a lot of that will 936 continue to be exports and particularly supplanting oil from other 937 countries that don't like us so much.

You know, in Mexico it's happening and we have to congratulate the legislature and the president for being very courageous in doing something that took a long time to undo. And every major American company is down there with an office looking at how they can take advantage of this opportunity. Permits have

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943 been granted, infrastructure is being built, and, you know, to stop something right in the middle of its tracks of enjoying a 944 945 boom of reinvesting back into Mexico would be tragic. 946 There are companies that, you know, have a lot of pent-up 947 energy and a lot of pent-up demand for realizing a better 948 relationship with Mexico. So it's going great but it can only get better and what we 949 950 have to worry about is that a change in NAFTA or a change in 951 leadership in Mexico that would jeopardize any of that certainly, 952 you know, we would have to take that with a grain of salt -- a 953 grain of caution. 954 Mr. Barton. All right. 955 Thank you, Mr. Chairman. 956 Mr. Upton. Mr. McNerney. 957 Mr. McNerney. I want to thank the chairman, thank the 958 witnesses this morning. I will start with Mr. Thompson. 959 You mentioned that North America will be energy secure by 960 the year 2020. Could you explain what that means exactly? What 961 does energy security mean to you? 962 Mr. Thompson. Well, let me just say that that's not, you 963 know, me saying it. That's the International Energy Agency --964 the IEA -- that's saying it and what that means is that we are

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987 Mr. McNerney. Well, you all -- you have been advocating for 988 harmonization, Dr. Krupnick. But just yesterday we had a hearing 989 on the CAFÉ standards -- tremendously difficult to get 990 harmonization within the United States itself. So is there a 991 pathway for us to reach harmonization with the other countries? 992 Mr. Krupnick. Well, initially, I would just hope that we could get behind the agreements that we already had with other 993 994 -- with Canada and Mexico. The ones I mentioned were on 995 environmental issues. 996 There's an agreement with Mexico and the United States to 997 jointly inspect facilities in the deep waters of the Gulf of Mexico 998 to make sure that they're living up to the safety standards that 999 both countries are enforcing. 1000 So I think there's a lot that can be done bilaterally and 1001 trilaterally. 1002 Mr. McNerney. Well, you mentioned that pulling out of the 1003 Paris conference, I think I understood you to mention or imply, 1004 that that hurt the confidence of investors. Could expand that 1005 a little bit? 1006 Mr. Krupnick. I don't know if I exactly said it that way 1007 but I think what we are seeing is that companies around the world 1008 and international companies that are located and based in the

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1009 United States, plus companies in the United States, are already 1010 using what we would call as economists shadow prices of carbon 1011 -- that is, internal prices of carbon to help in their investment 1012 planning.

1013 So whether we pull out of the Paris Accords or not, companies 1014 can't afford not to bet on a future without climate legislation 1015 in the United States. So they have to take the long view with 1016 investments, let's say, in pipelines lasting 40 years.

1017 They've got to take the long view in their investment 1018 decisions about what's going to happen to climate policy in the 1019 future, in the U.S. and around the world, and they're doing that 1020 irrespective of whether we are currently in the Paris Accords or 1021 not.

1022 Mr. McNerney. One last question. You said that Congress 1023 could help promote renewable capacity using local resources. 1024 Could you expand on that a little bit as well?

1025Mr. Krupnick. Yes. So I am not in Congress. I don't know1026the levers that you all have to use. Some of it is just moral1027suasion to -- some of it is, as I am sure, is passing bills.1028But Mexico is a -- is blessed with very good solar energy1029and Canada has a lot of unexploited hydro electric energy. So1030the United States could benefit and Mexico and Canada could

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1031 benefit by taking advantage of these vocational advantages that 1032 these countries have to have our electricity be cheaper for 1033 American consumers. 1034 Mr. McNerney. And these can be cost competitive with 1035 traditional fuels? 1036 Mr. Krupnick. Well, they can be, certainly in the hydro front they can be, and potentially in Mexico. Kind of better 1037 1038 having solar in Mexico than having solar in New England. 1039 Mr. McNerney. Thank you. Mr. Chairman, I yield back. 1040 Mr. Olson. Mr. Upton. 1041 I thank the chair, and welcome to our four Mr. Olson. 1042 witnesses with a special Texas welcome to Secretary Harbert. 1043 Ma'am, you and I share a common bond. We are both Rice als 1044 -- Jones '85. Welcome. There we go. Well, Jones beats Hanson 1045 at all the sports that matter. So, again, welcome. 1046 Also welcome to Mr. Burchett. As you know, sir, ABB has a 1047 presence there in Sugarland, Texas, as you mentioned. Please 1048 come down and visit. You will love to see the facility. It's 1049 amazing. 1050 Also, right around the corner is a restaurant called the Live 1051 Oak -- the best burgers in Fort Bend County, right there at Live

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1052 Oak right by ABB in Sugarland, Texas.

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1053	And this is no news, but North America and energy trade is
1054	vital to the world's economy. Heavier crude from Canada is a
1055	critical part of the American refining space.
1056	We all know that the Eagle Ford shale does not stop at the
1057	Rio Grande, waiting for a visa to cross, and we know that as Mexico
1058	improves its energy sector, our ties with that neighbor will only
1059	grow stronger.
1060	And make no mistake, we are on the verge of replacing OPEC
1061	with a de facto NAPEC North American Petroleum Exporting
1062	Countries.
1063	And, of course, my own state of Texas' ties to Mexico are
1064	also important for electricity. They have been invaluable to our
1065	in our electricity market.
1066	For example, in August of 2011, my state was hit with a
1067	statewide heat wave over 100 degrees on every square inch of
1068	our state the entire month of August.
1069	That put us in a situation of some rolling blackouts. Mexico
1070	sent power across the river to help us out. Over 200,000 homes
1071	were powered by energy electricity from Mexico.
1072	It's an important relationship for Texas and America to have.
1073	My first question is for you, Mr. Burchett. In your written
1074	testimony, you talked about how, one, electric transformers come

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This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available. 1097 Fort Bend Chamber of Commerce led by Kerry Schmidt, repeats that 1098 message to me every single time we meet at home. 1099 With that said, are there items that could be included in 1100 negotiations which would hamstring the agreement even if we stay 1101 part of it? 1102 To put it here in D.C. terms, is there a poison pill that's possible that looks benign that could bring the whole structure 1103 1104 down? 1105 Ms. Harbert. Well, and thank you for your kind comments and I will try and get the Hanson Athletics to step it up a little 1106 1107 bit. 1108 You know, I am glad to see that the echo chamber is working 1109 because the business community is united in its support of NAFTA 1110 -- modernization, not withdrawal, and protection of those parts 1111 of NAFTA that are very important to the business community, 1112 specifically investor protections that are in there. 1113 If those were taken out, I think American industry would have 1114 a very, very large problem in agreeing with the future terms of 1115 There are lots of things that can be done to improve it. NAFTA. 1116 But that would be one that would be very difficult and if were 1117 to see that go away and then we would have steep tariffs, you can 1118 know what would happen to the American consumer here.

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1119 So we have our eyes laser like focused on the investor 1120 protections to make sure they are included. 1121 Mr. Olson. I think I am out of time and, Mr. Chairman, again 1122 I thank the witnesses and merry Christmas. 1123 I yield back the balance of my time. 1124 Mr. Upton. Mr. Peters. 1125 Mr. Peters. Thank you, Mr. Chairman. Thanks to the 1126 witnesses for being here. Ms. Harbert, when we saw each other 1127 the last time it was probably 80 degrees where we were. Not that 1128 way today. 1129 Thanks for being here. Just a couple observations. First 1130 of all, there's a lot to like about energy abundance for consumers, 1131 for manufacturing, and it's also -- even if our friends to the 1132 north and the south -- Mexico and Canada -- even if we don't act 1133 like OPEC it's still advantageous to have friendly countries to 1134 trade with for energy. 1135 Another observation -- this really has been about petroleum 1136 and hydrocarbons, not just -- not all energy trade. We haven't 1137 talked about next-generation nuclear or renewables. 1138 That's also part of the discussion. But just focused on what 1139 we've covered here, it does strike me as, with all this abundance, 1140 an odd time to be opening up Alaska to offshore drilling.

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I don't see the need for that. A tax -- it's part of tax bill, part of a tax bill. They didn't even ever discuss the \$2 billion of subsidy we provide at a time of all this abundance, and then at the same time we are talking about depleting the strategic petroleum at prices that almost couldn't be lower. It doesn't seem like it's very smart. I observe that as part of the context.

1148 Ms. Harbert, I am with you on regulatory reform and 1149 permitting reform. Actually, in my previous I was -- I 1150 represented a lot of clients who tried to get through government 1151 processes that could be very, very frustrating.

1152I believe we can achieve high environmental standards with1153less drag on the economy. Would like to work with you on that.1154Along those lines, one thing I would point out is what's1155happening around methane right now. I think -- I saw today that1156the American Petroleum Institute -- and this is great news --1157started its own business partnership to deal with reducing VOCs1158and methane.

1159 They are probably observing what I am observing is that these 1160 rules are becoming politicized and that's bad for business because 1161 what's going to happen is you get this back and forth. If the 1162 -- if the president wants to undo everything because it's got

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1163 Obama's name on it, that's not good for business either. 1164 So I congratulate the American Petroleum Institute. I know 1165 the Chamber is interested in certainty. We can have good methane 1166 rules that protect us and the environment and are certain for 1167 business. I would like to work with you on that. 1168 And I am with you on NAFTA. For me in San Diego, one of the 1169 most important parts of our economy is our trade with Mexico. Our 1170 relationship with Mexico is very important to us. 1171 I am a supporter of President Obama's TPP negotiations. 1172 Again, the business community seems united behind this. I don't 1173 particularly -- I can't speak for all Democrats here but I 1174 understand the need for dispute resolution that's free from some 1175 of the hometowning, particularly in developing nations. I think 1176 that makes a lot of sense. 1177 Maybe we should just rename it the Trump Pacific Partnership 1178 and be on with it. Maybe get a vote on it that way. 1179 But what I did want to just say, because a lot of this has 1180 been covered, I heard mostly discussion in terms of modernizing 1181 about leaving it the same, making sure that we preserve dispute 1182 resolution, make sure that we don't -- we do no harm. 1183 I just wanted to give you an opportunity. I think we've been 1184 asked this before. Are there any specific changes you'd like to

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1185 see in terms of modernization that we should be asking for?
1186 And Mr. Burchett, I will start with you.
1187 Mr. Burchett. Thank you, Congressman.

1188There are more experts than I on the NAFTA agreement. I know1189in my career I remember when it started and I was doing business1190in Mexico. It's been 23 years. So I would defer to the experts1191on NAFTA for the modernization.

But it just seems to me that given the -- given the changes that's happened in the 23 years, given the shale gas revolution, given the high-tech things that we do now, like the refineries mentioned by Congressman Upton, which is ABB technology, and given the level of trade that I see with our 50 manufacturing plants and a nice footprint in Canada also of manufacturing and a nice footprint in Mexico, it seems time to modernize.

Mr. Peters. Yes. Anything, Ms. Harbert?

Ms. Harbert. I have a couple of very specific things -- that a new NAFTA would ensure that the cross-border trade of crude oil and natural gas and refined product wouldn't be subject to any quantitative measures or tariffs -- secondly, that we could more safely or more quickly develop safe cross-border interconnections of electricity and hydrocarbons, and lastly -- there's two more. We really need to look at and prohibit local content rules

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1207 that the industry could not meet and we should take a hard look 1208 at some common standards and regulations.

1209 Not all -- where it makes sense in the energy sector so we 1210 can more harmonize, which is a scary word to our friends in the 1211 north. They don't like that word. But we could find some 1212 commonality.

Mr. Peters. Okay. That's very constructive.

Dr. Krupnick, anything you want to add, briefly?

1215 Mr. Krupnick. No. I think this has been pretty well

1216 covered.

1213

1214

1220

1217 Mr. Peters. Okay. I really appreciate you -- I look 1218 forward to working with you to see if we can't say what's good 1219 and make it better.

And Mr. Chairman, I yield back.

1221 Mr. Upton. Mr. Shimkus.

Mr. Shimkus. Thank you, Mr. Chairman. I appreciate my colleague from California's questions. I've got a -- just a picture should go up on the screen, and I was trying to find another one but, really, that just gives you, you know, either pipelines, crude oil crossings, and sometimes they don't show going in to Mexico but there's a little, like, a dot where the crossing location is for crude, for refined product, for hydrocarbon gas

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1229 liquids, for natural gas, and for electric transmission. 1230 So I think what we struggle with is those of us who have been 1231 on the committee, which is one of the reasons why I love the 1232 committee -- we are interconnected. We are there. We've been 1233 there for a long time. We are going to continue to have this. 1234 So the -- why I think the hearing is important is -- and Ms. 1235 Harbert, you just raised some of the issues of the concerns that 1236 if there's a pull out of NAFTA what damage do you do to that 1237 interconnected North American grid or North American crude oil 1238 or oil refined product lines.

Does anyone want to mention that real quick?

1240 Ms. Harbert. Looking at your map, if you can imagine in a 1241 world without NAFTA anything that would be coming into the -- for 1242 example, to Texas, if, you know, electricity, if there was going 1243 to be a toll or a tariff put on there that we would have higher 1244 prices than we actually, you know, charge in America, that would 1245 be a huge disincentive for our energy security because we depend 1246 on this, as you well pointed out, and if we change that economic 1247 equation that's going to raise prices here at home and we are going 1248 to have to search for other suppliers.

1249 Mr. Shimkus. And right now there's uncertainty because of 1250 conflicting messages. So I am from southern Illinois. We are

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1251 pork and beans and corn. NAFTA is very, very important for my 1252 commodity-based products.

But we also have the fear -- every small town in America really has that small manufacturing facility that's moved. So that's the conflict of NAFTA for members.

1256 In fact, not to point out ABB but they announced a closure 1257 of the St. Louis plant -- a transformer manufacturer. I don't 1258 know where it's going. But I do know -- I drive by it every day 1259 when I go to the airport.

So that's the struggle with how do you renegotiate while keeping the benefits of that or for my corn to be sold where you're ensuring that our manufacturing sector is equally treated, because we can't negotiate wages.

We can't negotiate environmental standards. Well, maybe some people think we can but, historically, those are things left to the individual country to be able to do.

Anyone want to comment on that -- those challenges? Mr. Krupnick. I could say something about the map and one thing that's not on the map. So there are a number of pipeline -- there's a lot of plans to grow the number of pipelines coming into Mexico to meet that rising natural gas demand. So those could be put in jeopardy.

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1273 And then on -- in the Gulf of Mexico, the lease sale -- lease 1274 sale one -- round one was completed. Two is almost completed. 1275 Three is supposedly going to get into deep water and that could 1276 be held up. 1277 Mr. Shimkus. Right. 1278 Mr. Krupnick. So it could put us and, of course, indirectly 1279 the Mexicans at risk as well. Mr. Shimkus. And for those that have followed the committee 1280 1281 and what I've done in public statements, comments, Keystone 1282 Pipeline, Keystone XL, which feeds right, obviously, from the oil 1283 sands all the way down to my district. There was a big terminal 1284 there, and then it spreads throughout all the Midwest. So and 1285 we've seen not just an international negotiation but we've seen, 1286 obviously, just internal politics delay pipeline construction. 1287 Mr. Thompson. 1288 Mr. Thompson. So let me just say, I can say with certainty 1289 that my refining facilities are the most efficient in the world 1290 and we are not relocating anywhere, you know, under NAFTA. We 1291 are going to be there. 1292 But, you know, as our transportation demand for fuel flattens 1293 out, our facilities need export markets to continue to grow and 1294 prosper.

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1295	Mr. Shimkus. Right. I think that's a good point and I was
1296	going to jump on that with the last 40 seconds. Just for the
1297	liquid transportation fuels debate, we had that hearing yesterday
1298	on CAFÉ and greenhouse gas, and the debate of EV penetration.
1299	Now, it's not huge across the country but electric vehicle
1300	penetration in California is noticeable, and international
1301	comments about, like, Norway and France who are trying to make
1302	or China, that really will could disrupt this market crude
1303	oil and refined products. Don't you think?
1304	Mr. Thompson. It certain EV penetration could indeed,
1305	yes. It could be very disruptive.
1306	Mr. Shimkus. So we need to keep the liquid transportation
1307	market.
1308	Mr. Thompson. We need to keep the liquid transportation
1309	market strong.
1310	Mr. Shimkus. Thank you very much. I yield back.
1311	Mr. Upton. Mr. Loebsack. Oh, I am sorry. He left.
1312	Mr. Tonko.
1313	Mr. Tonko. Thank you, Mr. Chair. Welcome, witnesses.
1314	One area where our energy sector is undeniably and quite
1315	literally interconnected is the United States and Canadian
1316	electrical grid systems.

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1317 In 2016, the U.S. imported 73.1 million megawatt hours of 1318 electricity from Canada, about a quarter of which went to New York 1319 State, my hope state. 1320 Dr. Krupnick, do the interconnections between the United 1321 States and Canadian power systems improve greater reliability on 1322 both sides of the border? 1323 Mr. Krupnick. Well, sure. The short answer to that is yes. 1324 For -- to maximize the benefits of cross-border electricity trade 1325 what -- we have a report that talks about -- about what to do. 1326 There are several margins to increase reliability and one of them 1327 is to have capacity planning be a joint exercise between, let's say, control areas in the United States and in Canada. So --1328 1329 Mr. Tonko. Thank you. 1330 Mr. Krupnick. So that's not -- there's a lot of things that 1331 we can do beyond what we are doing. 1332 Mr. Tonko. Thank you. 1333 And the Canadian hydropower is becoming increasingly 1334 important for New York State's plan to meet its clean energy 1335 targets. 1336 So I see big potential for increased renewable electricity 1337 trade, such as the importation of Canadian hydro, which will 1338 reduce emissions in our country. **NEAL R. GROSS**

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1339 But these projects rely on cross-border transmission 1340 infrastructure. What unique challenges exist to siting, 1341 permitting, and constructing cross-border transmission compared 1342 to domestic transmission projects? 1343 Ms. Harbert. Well, I can take a stab at that. 1344 You know, you're absolutely right. The provision of 1345 Canadian electricity to the Northeast more broadly is hugely 1346 important for grid reliability. The Northeast suffered a very 1347 devastating blackout in the early 2000s and from that was 1348 established the north -- the Electricity Reliability Coordination 1349 Council, which seeks to look at these things and manage the grid 1350 up there more responsibly. And so that's an important new 1351 organization that helps us to do that. 1352 Cross-border is still hard and it takes approvals from both 1353 sides of the border. Sometimes it takes state and local, because 1354 it's not just going -- crossing the border. It's going through 1355 other municipalities and counties that might not be excited about 1356 having a new transmission line. 1357 So we really need to take a look at the redundancy of federal, 1358 state, and local permitting so that we get things built in a predictable time frame. 1359 1360 Mr. Tonko. Thank you. Anyone else want to respond to that?

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1361 Yeah. 1362 Mr. Burchett. Yes. So as ABB, we invented high-voltage DC 1363 transmission, which is the way you do a lot of these 1364 interconnections. So we do them all over the world. We are 1365 working on one with Denmark and U.K. now. 1366 One of the biggest ones is for New England and it's to get 1367 the power from Canada there. So in talking to our customers, I 1368 have heard them describe the regulatory approval process as, 1369 quote, unquote, "a game of Chutes and Ladders," and that can seven 1370 to 10 years. And so what they would -- you know, would -- of 1371 course, they would like to see an expedited process but the 1372 technology is there to get particularly hydroelectric power from Canada into New England. 1373 1374 Mr. Tonko. Thank you. 1375 Yesterday marked the second anniversary of the Paris climate 1376 agreement. One hundred and ninety-seven parties have signed the Paris Agreement and 170 parties have ratified it. 1377 1378 The United States is the only country with the intention to 1379 withdraw. Progress in North American and global emissions 1380 reductions will be hindered by the absence of our leadership --1381 United States leadership. 1382 But we have seen no indication that our neighbors intend to

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1383 back away from their Paris commitments or their carbon pricing 1384 policies.

So Dr. Krupnick, do you believe it will be more difficult for the United States, Canada, and Mexico to cooperate on cross-border and environmental policy harmonization if the United States continues to be disengaged on global action on climate change?

Mr. Krupnick. The answer is yes, of course, it'll be more difficult, and as I've tried to indicate, there is still at a state level, at a regional level, there is still opportunities for that kind of engagement, let's say, that we are seeing from California with Quebec, Ontario, Manitoba, and so on in their CO2 trading program.

So it's not like all these interactions are going to stop.
But, of course, we'll be -- we'll be hurt in our ability to
negotiate further.

1399 Mr. Tonko. Right. And so the consequences, I believe, are 1400 probably that there -- we would be less likely to align their 1401 policies with ours and are there limits then to opportunities to 1402 lower costs to business and consumers?

1403Mr. Krupnick. Yes. Anytime you put barriers into a1404cooperation interaction you're going to create increased costs

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1405 somewhere along the line.

Mr. Tonko. Yes. With that, I thank you and yield back.
Mr. Olson. [Presiding.] The gentleman yields back.
The chair now calls upon the gentleman from West Virginia,
Mr. McKinley, for five minutes.

1410 Mr. McKinley. Thank you, Mr. Chairman.

1411In our binding or majority memorandum binder we said -- I1412read that we have -- apparently we have 73 gigawatts of electricity1413are being imported from Canada currently. For everyone to1414understand, that's the equivalent of anywhere between 70 and 1201415power plants.

So I would like to focus on those implications if I could for -- with this panel, because currently -- the first is currently under construction is a Lake Erie connector. That's a 1000-megawatt high-voltage underwater transmission line that would provide the first direct link between Ontario power generators and the America PJM.

1422This will enable -- this Lake Erie connector will enable a1423subsidized Canadian power company to compete with American1424private sector energy producers.

1425 Secondly, the Quebec electricity sector is dominated by 1426 Canada's largest utility and it's a state-owned and operated

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1427 monopoly which is heavily subsidized. According to CBC news 1428 reports, Canadian electricity producers are generating more power 1429 than they consume and sell off excess power to the United States 1430 at rates below the cost of production, closed quote.

1431 This unfair competition may result in lower utility bills 1432 for us in America but this outsourcing of our electric generation 1433 costs American jobs and lost state and local tax revenue.

1434 Therefore, I am concerned that the U.S. markets are becoming 1435 the dumping ground for Canadian state-subsidized electricity, 1436 much like we've become the dumping ground for cheap subsidized 1437 steel from China. Those are my concerns.

1438The Canadian government subsidizes electric exports to the1439United States, the government dumps electricity at below rate and1440it results in lost jobs and state revenue.

1441 So my question -- perhaps it's to you, Ms. Harbert -- should 1442 the new NAFTA negotiations -- and I would encourage those 1443 negotiations to take place -- address this unfair market 1444 distortion?

1445 Ms. Harbert. Sure, and one thing to point out, when we 1446 negotiated NAFTA the first time around energy wasn't even part 1447 of the equation. We didn't know how much we had, Canada had, 1448 Mexico had. We didn't anticipate the full integrated energy

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1449 economy that we have today.

1450 So, you know, as we proceed in the fifth and sixth and, 1451 hopefully, conclusion of this, there are issues like that that 1452 should be discussed.

But at the same time we also have to realize that in the Pacific Northwest of our country, we are exporting a tremendous amount of hydropower up into Canada and some of those are from government-owned facilities as well -- back to the, you know, the TVA days and all of that.

1458So, you know, it's something that should be looked at. That1459is not particularly my exact area of expertise but I think it1460should be talked about. But it probably floats on both sides of1461the border that we would have to consider that -- the equation.1462Mr. McKinley. Anyone else on the panel have comments about1463the subsidized --

Mr. Krupnick. Sure. I think subsidies to renewables, subsidies to fossil fuels -- anywhere you see subsidies there's a case for eliminating them. All that I think it's important is that if we are eliminating subsidies on one type of fuel we should eliminate them on others as well.

1469And so if Canada is subsidizing their hydro then that's an1470issue that should be taken up.

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1471 Mr. McKinley. Mr. Thompson, anything? Any comments? 1472 Mr. Thompson. Well, this was certainly out of, you know, 1473 my area of expertise but I will say this speaks more broadly to the reasons that we need a separate, more complex title than NAFTA 1474 1475 dealing with the energy issues. 1476 As Karen said, we need to -- at the time NAFTA -- when it 1477 was originally developed these issues weren't in front of us and 1478 we need to because --1479 Mr. McKinley. Okay. Because according to these same 1480 reports they're saying that we're ultimately going to be a net 1481 importer of electricity -- the PJM from Canada. 1482 So I am interested to know whether or not something like this 1483 in a NAFTA agreement should allow for some kind of cost recovery 1484 or tariff, if I use the T word. Any thoughts? 1485 Mr. Burchett. As a -- as a final statement, I would -- from an ABB standpoint, we are a technology provider so we do the 1486 1487 high-tech and what I will tell you about those interconnects is 1488 the power can flow both ways. 1489 So I don't know what the potential there is in the future. 1490 From a subsidy standpoint I have no point of view. But I know 1491 the technology can go both ways. 1492 Mr. McKinley. Okay. I yield back.

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1493 The gentleman yields back. Mr. Olson. 1494 The chair now calls upon the gentleman from the same home 1495 state as our chairman who wants me to say publicly I recognize 1496 that Michigan beat Texas in basketball yesterday 57 to 52. 1497 Mr. Walberg, you have five minutes. 1498 Mr. Walberg. With that kind introduction, Mr. Chairman, I 1499 won't add anything to it. Great basketball game. Mr. Olson. Thank you. 1500 1501 Mr. Walberg. Ms. Harbert, thank you for being here and 1502 thanks to each of the panel members for being here. 1503 Many people think energy and they think oil and gas. What 1504 other industries benefit from North American energy trade? 1505 Ms. Harbert. Well, I like to say that every one of our 50 1506 states is in the energy business. You may not be producing it 1507 but you're in the supply chain and, obviously, we are all 1508 consumers. 1509 So with a more integrated North American energy market, all of our consumers -- our families are benefiting, our industries 1510 1511 are profiting -- not profiting but are benefiting from lower 1512 prices. 1513 And let's not forget that industries have moved back to 1514 America. The fertilizer industry is back, helping your pork and

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1515 beans and et cetera, and corn. The petro chemical industry is 1516 back in the Gulf that was -- used to be in the Middle East. The 1517 steel industry is back in some form or fashion in Pennsylvania 1518 and Ohio. 1519 So manufacturing is back and critical inputs to our 1520 manufacturing are back. So it is an energy revolution in all 50 1521 states. 1522 Mr. Walberg. And I think that's important for us to get out 1523 very clearly. We often think of energy in combative terms at 1524 times -- it's not in my back yard -- and the impact is sometimes 1525 forgotten as well. 1526 So for us here in Congress and policy to think along those 1527 lines but also the industries to make sure that we broadcast it, 1528 assist in the long haul. 1529 Mr. Harbert, the low cost of natural gas and electricity is 1530 driving a revival in U.S. manufacturing and providing our economy 1531 with a competitive advantage. 1532 However, free trade and market principles also allow producers of energy commodities such as natural gas and LNG to 1533 1534 export their commodity abroad. 1535 How do we strike the right balance so that everybody 1536 including U.S. consumers can reap the positive economic benefits?

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1537 Ms. Harbert. Well, natural gas is real great story for 1538 America. We are producing more natural gas than we can consume, 1539 and in order to continue to produce at that level they need export 1540 markets and that's what guarantees lower prices in those 1541 industries that are coming back. 1542 We have additional capacity being planned into Mexico that 1543 will be good because Mexico will then stimulate additional demand 1544 for our natural gas by developing new industries and new 1545 consumers. 1546 So having more than we consume is a good thing. They're not 1547 going to sell it at the expense of domestic producers because --1548 domestic industry. They're getting all that they need but in 1549 order to keep those prices low for that domestic industry we want 1550 to be able to export. 1551 Mr. Walberg. Okay. Not a zero sum game then? 1552 Ms. Harbert. No. 1553 Mr. Walberg. Okay. Dr. Krupnick. 1554 Mr. Krupnick. There are -- during the debate over LNG 1555 licensing for export there were many studies done on what the 1556 effect of those exports of natural gas would be on U.S. domestic 1557 prices and the best ones of those clearly said that there would 1558 be very little effect on prices.

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1559 We have -- with the shale gas revolution we have such rapid 1560 response ability now in the fields to even small changes in prices 1561 with increased supply that we are in -- we are in a new era and 1562 I don't think we have to worry about increased exports of our 1563 natural gas. 1564 Mr. Walberg. Thank you. 1565 Mr. Thompson, what types of opportunities are opening up for 1566 American companies with Mexico's energy reforms? 1567 And we often talk about hydrocarbons but what about 1568 electricity? 1569 Mr. Thompson. Well, I can't speak to electricity. That's 1570 not what my members do. But I can speak to with the opening up -- the liberalization 1571 1572 of their downstream sector we have a number of companies that are 1573 now entering the Mexican market. 1574 We had -- Andeavor has opened up the first Arco station in Mexico and they're supplying fuel from their refinery in the state 1575 1576 of Washington. 1577 We have -- Valero now has entered into agreements to provide 1578 products -- Exxon Mobil, BP, Chevron. So we have a lot of U.S. 1579 companies now that are entering Mexico to supply needed fuel to 1580 the Mexican economy.

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1581 Thank you, and Mr. Chairman, I yield back. Mr. Walberg. 1582 Mr. Olson. The gentleman yields back. 1583 The chair now calls upon the gentleman from Ohio, Mr. Latta, for five minutes. 1584 1585 Mr. Latta. Well, thank you very much, Mr. Chairman, and 1586 thank you very much for our panel today. You know, if I could follow up from my friend from Michigan, 1587 1588 Ms. Harbert, when we were talking about the shale revolution 1589 because, of course, in Ohio what we have seen happen on the --1590 eastern side of the state and also in western Pennsylvania when 1591 you look at the Utica and the Marcellus Shale that it has created 1592 a revolution out there with wide-ranging benefits to the economy 1593 and when you're looking at the creation of millions of jobs at 1594 a time when, you know, things are struggling out there. 1595 But overall, how has the consumer benefited from this 1596 revolution that we've seen out here right here at home? 1597 Ms. Harbert. Well, it's an American supply chain that has 1598 jumped in and fulfilled. We are making new products to fuel that 1599 revolution, which means more jobs, and for the American consumer 1600 prices are -- low natural gas prices here have saved the American 1601 family money.

1602

Over the last six years, prices have gone down by about 14

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1603 percent for energy for a family, which provides additional 1604 purchasing power which stimulates the economy.

1605 You know, in addition, if we were able to get more pipeline 1606 capacity out of the Marcellus and into the Northeast, those 1607 consumers up there would benefit from low natural gas prices as 1608 well.

So it's jobs, it's new industries, it's low prices, and we are being more competitive with our exports overseas because our prices are two to four times lower than they are in Europe, which is a good thing. So we are more competitive on the global stage because of these low prices.

Mr. Latta. Yes. Well, thank you very much.

And Mr. Burchett, our electrical systems are evolving rapidly with the technological innovation and regulatory policies that's driving the change. In your view what does the grid of the future need to look like in order to deliver electricity, more efficiency, and more cost effectively?

1620 Mr. Burchett. So when we think of the future grid as we are 1621 working with most of the investor-owned utilities and our 1622 customers, I mean, we know the words reliable are there. We know 1623 the words renewable are there.

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But we also, when we look at power generation, we view it

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1625 as an all of the above situation.

1626 Our future does have solar, wind, but also coal and nuclear
1627 -- traditional generation. If you look at studies from EIA out
1628 for the next 30, 40 years you still see all the different fuel
1629 elements in play.

With the technology in play, there's more around a distribution grid in the automation and being able to fully automate the grid so that when an occurrence occurs you got -the interruption and restoration of power happens almost immediately. So --

1635 Mr. Latta. Thank you very much.

1636 Mr. Thompson, with the huge increase in domestic production, 1637 our imports have, you know, fallen dramatically, as being 1638 discussed. We've cut OPEC imports in half in less than a decade. 1639 How has our energy security situation changed as a result of the 1640 North American energy trade?

Mr. Thompson. Well, thank you for the question. So as, you know, you noted, our domestic production is near all-time highs and, you know, so we are, you know, more energy secure than we have been in quite some time.

1645 Now, that certainly hasn't eliminated our need to import 1646 crude into our country and that's more because, you know, our

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1647 facilities are configured to handle the heavier crudes. 1648 So we are able to take our lighter crudes and export them 1649 to facilities that are better designed and equipped to handle 1650 those. But we've been able to get more of our crude from our, 1651 you know, friends up north in Canada and 41 percent of all of our 1652 imports come from Canada and that's a good thing. 1653 And as the IEA said, that we are all on track here as North 1654 America to be energy secure by 2020. 1655 Mr. Latta. Well, thank you very much. 1656 And Mr. Chairman, I yield back the balance of my time. 1657 The gentleman yields back. Mr. Olson. 1658 The chair now calls upon the gentleman from Illinois, Mr. 1659 Kinzinger, for five minutes. 1660 Mr. Kinzinger. Well, thank you, Mr. Chairman, and I know 1661 there's -- based off of the last question I do want to make the 1662 point that I think, you know, energy security is essential, not 1663 just, you know, for our economy, which is great -- obviously, 1664 important -- but also because a lot of foreign actors use energy 1665 as a weapon and I think it's essential to note that, you know, 1666 if the West is ever going to fight back against some of the policies 1667 of the East or Russia, it's essential that we have a very strong 1668 energy platform to do so because the Russians in many case use

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1669 -- cases use energy as a weapon to try to extract political favors
1670 from foreign actors and foreign governments and I think that's
1671 an essential point to know.

1672 Ms. Harbert, since NAFTA was originally negotiated, Mexico
1673 has instituted a number of reforms including opening its energy
1674 markets.

What do these reforms mean for consumers in our country? Ms. Harbert. First of all, I just want to underscore what you just said, which is the mass security dividend of our energy revolution is enormous -- that we are able to provide exports to allies who have been forced into choosing a single source for their oil or for their natural gas. So providing that choice provides national security for them and for us, providing choice.

1682The opening up of the -- the reform of the hydrocarbon sector1683in Mexico which took a very long time and some courageous political1684actors to do has been an open invitation for American companies1685because they did the reform right and they're continuing to1686improve it.

And so we've already had several lease sales there and there's one that's going into deep water and our companies that have the best technology around are going to be the ones bidding on it.

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1691 So that, from an environmental standpoint, is very 1692 important. But also, as we have more of our -- all of our 1693 resources flowing across borders in North America, which makes 1694 that energy market more efficient, it keeps prices low --1695 electricity prices, fuel prices, natural gas prices -- and it's 1696 stimulating that manufacturing revolution that's putting more 1697 Americans back to work. 1698 Mr. Kinzinger. And so you mentioned a little bit about, you 1699 know, future bids and technology. What are new opportunities 1700 that you see to engage Mexico's energy sector further? 1701 Ms. Harbert. Well, they're sort of threefold at the moment 1702 and all of them are ongoing and in rapid fire, which is cross-border electricity, which has -- we've had that for a while 1703 1704 but now there's a lot more demand on the Mexico side so more

1705 interconnected electricity.

1706Natural gas -- we have a lot of American companies that are1707building pipeline right now, right at the border, waiting to go1708across and that will stimulate more demand for our products under1709NAFTA because they will have a more -- bigger middle class that1710can purchase our products.

1711And then there's offshore, which I think between the North1712Sea and the Gulf of Mexico those are the most advanced companies

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1713 ever. So we should take great comfort and that is our companies
1714 that will be investing in the Gulf of Mexico and these tricky,
1715 you know, deep shore --

1716 Mr. Kinzinger. And what do we do to ensure that the 1717 renegotiations won't have adverse consequences on our energy 1718 industry?

1719 Ms. Harbert. Well, on of the most critical things that we 1720 are looking at is the investment protections that have been 1721 provided for and need to be maintained.

So the Mexican energy economy is reformed -- that's bright investment. Investment likes some certainty and so two things could upend that, which would be a withdrawal from NAFTA or something that jeopardizes the -- a NAFTA that does not have the investor protections.

1727 And so we as the business community are united and those 1728 investor protections need to be maintained in any type of 1729 modernized NAFTA.

1730

Mr. Kinzinger. Okay.

1731 Mr. Burkett or Burkett, I am not sure -- in your testimony 1732 you provide examples of how ABB's supply chain spans North America 1733 including a supporting number of manufacturing sites in the U.S. 1734 As you say, the -- U.S., Canada, and Mexico do not simply

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1735 trade with each other -- we build things together and rely on each 1736 other's markets to support millions of jobs.

How can we ensure that NAFTA renegotiations won't have adverse consequences on ABB and similar U.S. manufacturers that have robust trade cooperation through North America as a central part of their business?

Mr. Burchett. Yes, that's -- you know, that's from an ABB perspective. From a-from the National Association of Manufacturers, we are also now talking 14,000 small, medium, and large businesses that, you know, have similar levels of integration with Canada and Mexico, right.

So when-and quite simply, when we look at what needs to happen, for manufacturers we, obviously, do a lot of investment. So the consistency, the stability, the lack of volatility allows us to make those investments, and these low trade barriers. So it's a pretty simple formula for us. Investment likes consistency.

Mr. Kinzinger. Yes. And with my 20 seconds left, I yield
back, Mr. Chairman. Thank you all for being here.
Mr. Olson. The gentleman yields back.

1755The chair now calls upon the gentleman from South Carolina,1756Mr. Duncan, for five minutes.

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1757 My son tore an ACL on Sunday, Mr. Chairman, and Mr. Duncan. 1758 he had a doctor's appointment so I've been Face Timing and trying 1759 to inform his wife on what's going on. So I appreciate it. 1760 As you can see, I am sitting down here. I've been in the 1761 Congress for seven years but I am the newest member on this 1762 committee. Before I came to the E and C, I chaired the Western Hemisphere 1763 1764 Subcommittee, and I held numerous hearings on energy issues in 1765 the Western Hemisphere, specifically focussing on Canada and

1766 Mexico in a lot of those hearings.

1767 Yesterday, the House passed H.R. 357, reaffirming its 1768 strategic partnership with Canada, and when I think about the 1769 inner connectivity between Mexico and Canada, a lot of the -- some 1770 of the testimony that's been given today.

You know, Canadian oil coming to America refineries,
producing petroleum products that are then exported from the U.S.
back to Canada and Mexico and really other parts of the world.
It is a strategic alliance there.

1775 But when I think about Mexico, natural gas pipelines 1776 providing natural gas to Mexico, oil coming back to U.S. 1777 refineries, there is tremendous inner connectivity there. 1778 But it goes beyond North American strategic alliance. I

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1779 used to talk about American energy independence. Then I talked 1780 about North American energy independence and I really broaden that 1781 to hemispheric energy independence because if you think about Canada and Mexico and you think about the energy renaissance in 1782 1783 this country and our ability to export an abundant natural gas 1784 through LNG, then you think about the needs in this hemisphere. 1785 You think about the Carribean nations that are relying on 1786 Venezuela and the Venezuelan situation. That's opportunity for 1787 Americans and American businesses and the oil and gas industry. 1788 But there are other opportunities where American technology 1789 can be exported. When we think about energy exports we just think 1790 about product.

1791 But we have fracking technology and other down hole 1792 technology that can be utilized off shore, say Guyana, which just 1793 discovered a tremendous oil field -- 32 trillion cubic feet of 1794 natural gas, not counting the oil.

1795I don't have that number right off the top of my head. But1796it's an abundant find. American technology both onshore and1797offshore can be exported within this hemisphere. So I1798want to ask Ms. Harbert, because you seem to have a lot of knowledge1799about global energy initiatives, what are other opportunities1800that American industries can take advantage of? Because we are

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1801 a leader in the energy area.

Ms. Harbert. Well, you're absolutely right and the countries in Latin America, save for Venezuela -- Argentina, Peru, Brazil -- they have welcomed American investment in the energy sector because they know we have the best technology and the best techniques available.

1807 We've been able to develop gas in Peru. We've been able to, 1808 with some hiccups along the way, be big investors in Argentina 1809 and the demand in Latin America as a developing world is going 1810 to go up.

1811And so the opportunities for us to invest in some of those1812repositories in Latin America but also to export from America is1813huge, just like it is in Africa.

1814 Africa is going to be an industrializing part of the world 1815 and we want to be part of that industrialization through energy 1816 as a foundation for it. They don't have all the energy we need. 1817 So the opportunities, if you look at the International Energy Agency forecast, the demand for fossil fuels not only is constant 1818 1819 but goes up and we will provide fossil fuels. We'll provide 80 1820 percent of all new -- the world's energy resources in 2050. So 1821 huge opportunities to export, way beyond just North America. 1822 Mr. Duncan. Mr. Thompson, are our refining capacity and

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1823 refineries ready to receive, say, Guyanan oil for refining so that
1824 those products can be shipped around the globe?
1825 Mr. Thompson. Yes. We have the capability to take crude

1826 from all around the world and most importantly, you know, we look 1827 forward to the opportunity to export products back to the rest 1828 of the world.

You know, last year we exported 72 billion gallons and with the U.S. energy -- or transportation fuel demands staying relatively flat now we need those export markets.

1832 Mr. Duncan. Right.

1833 Mr. Chairman, in the remaining time I want to point all the 1834 committee members and the panellists to a Wall Street Journal 1835 article today, I believe: "Fracking Our Way to Mideast Peace." 1836 It's worth reading, and with that I yield back the balance. 1837 Mr. Upton. [Presiding.] The chair thanks the gentleman 1838 and yield back.

1839 The chair now calls upon the gentleman from Texas, Mr.1840 Flores, for five minutes.

1841 Mr. Flores. Okay. Thank you, Mr. Chairman. I appreciate 1842 you holding this hearing and I appreciate the panel for joining 1843 us today.

1844

When NAFTA was negotiated, Mexico's energy sector was

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1845 largely closed to foreign investment. This is important to me 1846 because I was -- one of my firms did substantial energy activity 1847 in Mexico and it was a very closed market. It was very arduous 1848 to deal in the energy space down there.

But in recent years, as you have heard, I mean, Mexico has opened up -- Mexico has opened up their markets and they have -they've shown real leadership and we have substantial trade activities that opened up just in a short period of time.

But in order for all of us -- Canada, the United States, and Mexico -- to take advantage of that market opening, U.S. companies need to have the certainty that their investments will be protected against government mistreatment.

1857The NAFTA renegotiation presents an opportunity to recognize1858Mexico's energy reforms and to maintain and strengthen NAFTA's1859investment protections, and this is why it's important.

Mexico is the number-one export destination for U.S. gas exports, making up 60 percent of Mexico's total gas supply. Most of that gas comes from my home state of Texas. Mexico is also the number-one export destination for U.S. petroleum products. Half the gasoline U.S. refineries exported this year went to Mexico and energy and production activity off the shore of Mexico is just starting as well, creating new opportunities for

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1867 U.S. businesses -- many folks that are friends of mine that I used
1868 to do business with when I was in the energy business.

1869It's my understanding that the U.S. -- excuse me, that the1870White House and the USTR are supportive of locking in these energy1871reforms as is Mexico. Unfortunately, there are proposals and a1872NAFTA renegotiation would undercut if not eviscerate important1873investment protections in NAFTA typically via the well-recognized1874ISDS mechanism.

1875 So in light of the foregoing, here are my questions. Ms.
1876 Harbert, I believe that you touched on the importance of
1877 investment protection via the ISDS mechanism in your written
1878 testimony.

1879 Will you please comment on the USTR's proposal to scale back 1880 investment protection, particularly the consequences for the 1881 energy sector? And Mr. Thompson, I will ask you the same thing. 1882 Ms. Harbert. Thank you or the opportunity.

You're absolutely right. Anything from the U.S. side that would seek to upend the certainty that is necessary to continue the investments brought about by the reform are certainly unwelcome and I think they would have the following repercussions. Number one, it would jeopardize that American investment and that's what we are actually trying to protect. We would also

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1889 jeopardize North American energy security.

1890Without having that free cross-border trade we wouldn't have1891the benefit of both the import and export of energy from both of1892your trading partners, which would be a big setback to energy1893security.

We would also jeopardize North America becoming the center of gravity of the world's energy market and that -- we talked about OPEC here. I mean, we are going to just throw that away and let them become dominant again? That would be a huge national security issue for us.

And last but not least, let's not lose the fact that this would raise costs on the consumer because if we are forced to only consume our domestic resources from North America and our producers don't have export, they're going to start producing less and that really is a lose-lose for the American economy.

So serious consequences. Those investor protections are
fundamental and they are present in all other trade agreements.
I don't know why we'd want to make something new here.

1907 Mr. Flores. I agree. I agree.

1908 Mr. Thompson.

Mr. Thompson. Yes. So I echo everything Ms. Harbert said.
We have members that are investors at the moment hundreds of

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1911 millions of dollars to enter the Mexican downstream market. 1912 If you take away ISDS protections, it's going to jeopardize 1913 that. We need to make sure that the Mexican market stays open. 1914 We need an agreement that locks that in and we need to protect 1915 our investors. It's critical that the ISDS mechanisms remain in 1916 NAFTA. 1917 Mr. Flores. Okay. So, I mean, just simply, I mean, to put 1918 it this way. 1919 I mean, on one hand the White House says, we believe in energy 1920 dominance for our country and for North America. On the other 1921 hand, the USTR is undercutting that by any conversation about 1922 getting rid of the ISDS mechanisms. Is that a simple way to put 1923 it?

1924 Ms. Harbert. And we hope through continued discussions that 1925 they can understand how important it is for all the reasons I 1926 articulated.

1927But at the end of the day, if we are trying to protect American1928investors, let's not take away the thing that protects American1929investors.

Mr. Flores. Exactly. Okay.

1931Thank you, Mr. Chairman. I yield back the balance of my1932time.

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1930

1933 [Presiding.] The gentleman yields back. Mr. Olson. The 1934 chair now calls upon the gentleman from the Commonwealth of 1935 Virginia, Mr. Griffith, for five minutes. 1936 Mr. Griffith. Thank you very much, Mr. Chairman. Let me 1937 apologize to you and for the committee. I usually like to come 1938 and listen to everything and today, because I've been in another 1939 committee hearing, I have been unable to do so. But vour 1940 testimony is important and we appreciate you being here today. 1941 So I have no problem with this trading with our friends, north But there needs to be, I believe, a more balanced and 1942 and south. 1943 fair deal between our respective countries. 1944 My district in southwest and south side Virginia was 1945 devastated by NAFTA and we lost tens of thousands of jobs. You know, back when that was all going on, you know, there would be 1946 1947 a press conference and 3,000 people would be out of work. We didn't get those jobs back. We also have a heavy -- that 1948 was textiles predominantly. We also have a heavy dose of coal 1949 1950 in my district and, you know, it shows me part of the problem we 1951 have with NAFTA. 1952 A lot of the coal mining in Mexico -- and we are not importing

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a lot but we do some. But that's not the issue.

they have coal mines there. But a large part of their coal

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The point is

1955 industry is now controlled or managed by elements of their drug 1956 cartels and the working conditions are horrible.

1957 But we are supposed to be considered equals, and the same problem happens with all industries. So what do we do in areas 1958 1959 that have been devastated like my district where the jobs never 1960 came back, the help from the federal government was never there 1961 to rebuild our economy, and I am dealing with communities that 1962 have parts of their downtown that used to flourish they're now 1963 -- you know, there's a block I am thinking of in particular that's 1964 just empty.

1965 All of the stores are gone. It's not like a shell of itself. 1966 It's just not there. It's a ghost part of that community. Part 1967 of it's surviving but just barely. Part of it's doing better. How do we solve that problem? As we look at making a better 1968 1969 deal, how do we rectify when you have disparities in working 1970 conditions, disparities in regulations, that then make the American product uncompetitive against our colleagues and our 1971 1972 friends in the south who don't have those rules?

1973And some went to Canada but they're more like us in the regard1974of their regulations and rules. Who wants to handle that?1975Ms. Harbert. Well, I will take a stab at one part of that1976-- two parts of it.

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First, I do think it's important to recognize that coal exports are on the rise in America and 13 percent of all of our coal exports are going to Canada and Mexico -- predominantly Mexico, right. So they are a good and important and potentially growing destination for our coal exports.

On the relocation of industries, you know, I think that is why we find ourselves back at the table, that we want to update and modernize NAFTA from where it was, you know, 30 some odd years ago and that there's an opportunity to open up some of these things and look at that, and it's complicated.

And if you have ever been in a trade negotiation, you know, if you come out with -- the acronyms they use are mind boggling. And so I think that's the reason we are at the table. At the end of the day, there are going to be, you know, industries that choose to move for economic reasons. That has been the history of free enterprise and capital markets and free trade.

But there are things that we are looking, you know, at the coal industry in particular. We have the Appalachian hub that's going to be built, a new ethylene storage hub in Appalachia that will take some of those coal miners and put them to work in something else.

1998

Mr. Griffith. Where is Appalachia is that going to be?

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1999 Ms. Harbert. Well, that's a great question and that's up 2000 for the industry to decide and those -- and all of the states in 2001 Appalachia to say what makes the most sense. But at the end of 2002 the day, it will benefit that region and provide sort of, you know, 2003 a relief valve for some of the miners that lost their jobs. 2004 But it's not just NAFTA. I think we have to realize it's 2005 It's artificial intelligence. robotics. It's mega, you know, 2006 data. It's all kinds of things that, you know, 21st technoloy 2007 has brought us that make moving around a little bit easier. 2008 Well, let me just say, I actually believe that Mr. Griffith. 2009 if we could get some of our textile industry back it would mostly 2010 be robotics. But that would still be some good high-paying jobs. 2011 But when we lost those jobs 20 years ago, 25 years ago, it 2012 was all based on regulations and wages and it just disappeared. 2013 In a matter of a couple of years, we went from being vibrant to 2014 having been crushed. We made a bad deal. We got to fix it. 2015 Thank you. I yield back. 2016 Mr. Olson. The gentleman yields back. 2017 The chair now calls upon the gentleman with the Bakken Shale 2018 Play in his home state of North Dakota, Mr. Cramer, for five 2019 minutes. 2020 Mr. Cramer. Thank you. Thank you, Mr. Chairman. We are

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known for lots of other things as well. A lot of food.
First of all -- and I am sorry I had to step out for a little
bit -- but this has been a really good hearing. All of you,
tremendous job. Thank you. Very well done, and I share all of
your concerns with what's going on with regard to NAFTA.

And it's particularly in the energy area -- and I am concerned about some other things too but the energy area being sort of new, if you will, since NAFTA was first passed to seek to present so many opportunities.

But here's an opportunity I want to raise just sort of rhetorically and then get your responses to it. And by the way, I am going to be -- I am going to be sort of fuel agnostic on this.

I really don't think the fuel matters. I think that what matters is whether it's intellectual, whether it's fossil, whether it's technology -- just there's so much opportunity.

But we talk a lot about trade with one another, you know, the big three of us, and we are all important to each other. As I like to tell my Canadian friends, however, as important as you are to us we are critical to you. So we have a leverage that you don't and always remember that, and our president understands that very well.

2042

So anyway, but here's what I think we miss so oftentimes in

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2043the discussion that I wish -- I wish we could get to. Just as2044sure as all the statistics you have shared in terms of how much2045we trade with one another and what -- a large percentage of our2046business with, you know, the other two -- Mexico and Canada --2047I think somebody said that the next 10 added up don't add up to2048what -- in certain areas what Mexico and Canada add up to for us2049in terms of market.

2050 What I get enthused about is the opportunity as a bloc --2051 as a seamless -- and by the way, when I was sitting here earlier 2052 I pulled up my -- one of my favourite maps in the world is the 2053 North American petroleum products pipeline map.

It knows nothing of borders and I remember the first time we reversed a pipeline in North Dakota, that instead of bringing, you know, Canadian crude down we went Bakken crude up on the very same line. Just not necessarily even to get it to Saskatchewan but perhaps to get it to the Gulf Coast. I mean, that's how important that infrastructure is. So I appreciate all the emphasis on infrastructure.

2061 But what I -- I just -- I would love to just hear some comments 2062 and maybe beginning with you, Ms. Harbert, and all of you could 2063 if you have an opinion.

2064

But what's the potential opportunity from a security as well

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2065as -- an economic security as well as a national and energy2066security opportunity? If we as a bloc get our act together,2067harmonize everything we are talking about, and then -- and then2068who needs OPEC, right? I mean, that's -- that's how I view it.2069So just open it up for discussion.

2070 Ms. Harbert. Absolutely. The national security dividend 2071 of this should not go unnoticed in the energy sector. First, from 2072 an American standpoint, we are importing more oil from Canada and 2073 Mexico than we are from OPEC and so that's been a change in energy 2074 fortune for sure.

2075 And the opportunity to full develop the resources of Canada, 2076 the United States, and Mexico and become the center of the world's 2077 energy market, which would send shock waves into not just OPEC 2078 but Russia sort of warms my heart.

2079 Mr. Cramer. Yes.

Ms. Harbert. So I think that we shouldn't lose -- this is not just an economic negotiation. This is a national security negotiation as well because the stronger we are, the more competitive we are on the world's stage as a bloc, if you will, but also from an energy standpoint, the more energy secure we are the more economics -- the more national secure we are and that provides our allies with choices of where they can get their oil,

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2087 their gas, their technology. They probably can't import their renewables but there's growing renewables within our bloc and it's 2088 2089 a tremendous win-win. 2090 Mr. Cramer. Mr. Thompson. 2091 Mr. Thompson. Well, let me say without sounding too corny, 2092 I mean, I think it would give us lots of things. It would give 2093 us unprecedented freedom in North America -- freedom and to take 2094 away the leverage that the rest of the world or certain parts of 2095 the world have over us now. 2096 It will give us prosperity. Our nations will prosper. Our 2097 employees will prosper. Our consumers will prosper. We'll 2098 continue to benefit from low oil prices and low gasoline prices 2099 and good high-paying jobs. We can become an energy-dominant 2100 region. 2101 I think the possibilities are endless. We should all be, 2102 you know, trying to get there. 2103 Mr. Cramer. Doctor? 2104 Mr. Krupnick. In our report to the Department of Energy on 2105 these issues, we call very strongly for thinking about ways of 2106 moving towards this bloc -- a concept that you're talking about 2107 and we talk about that as well. 2108 So I think the way to move forward on this is to give DOE

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2109 responsibility and the charge to develop pathways for the future.
2110 What are the current challenges? How deep do you have to go in
2111 environmental policy and tax policy to make all this a reality?
2112 You know, I am amazed at how much agreement there is about
2113 moving in this direction and it's great. But someone needs to
2114 think through it carefully.

2115 Mr. Cramer. Thank you.

2116 Mr. Olson. The gentleman yields back. The chair thanks him 2117 for bringing up the bloc we call NAPEC -- North American Petroleum 2118 Exporting Countries.

2119 And seeing that there are no further members who wish to ask 2120 question, I would like to thank all the witnesses for being here 2121 today.

Merry Christmas. And pursuant to committee rules, I remind members that they have 10 business days to submit additional questions for the record and ask that all witnesses submit their responses within 10 business days upon receipt of those questions. [The prepared statement of Chairman Walden follows:]

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2130 Mr. Olson. Without objection, this subcommittee is

2131 adjourned.

2132

[Whereupon, at 12:14 p.m., the committee was adjourned.]