

**Committee on Energy and Commerce**

**Opening Statement as Prepared for Delivery  
of  
Ranking Member Frank Pallone, Jr.**

***Subcommittee Markup of 17 Bills***

**October 24, 2023**

It has now been three weeks since the House has been paralyzed without a Speaker. The House cannot do anything until a Speaker is in place, and we are now 24 days away from another potential government shutdown. Last week, Committee hearings were delayed for hours as Republicans held their conference and today we see more of the same as we hold this markup in between the GOP conference meetings.

And so, as we prepare to mark up 17 bills today, Committee Republicans should be mindful that the only way any of these bills will ever become law is with Democratic support. That's why it's critical that we work together in a bipartisan fashion on legislation that will move our nation forward. And bipartisan cooperation means taking the time to come to bipartisan agreement – not rushing bills to markup before they are ready. It also means that there should be more Democratic bills being considered by the Committee. Only Representative DeGette's is being considered today with a Democratic lead sponsor.

Right now, there are 27 bipartisan bills that have passed through the Committee that are awaiting floor action. I hope that once we have a Speaker, these bills are prioritized for floor action. Today, the Subcommittee is marking up 17 bills. We will begin with 12 nuclear bills that we've been working together to find a bipartisan path forward on. The bills are largely aimed at making it easier for the Nuclear Regulatory Commission to process an anticipated wave of forthcoming applications for new advanced reactor designs over the next decade. Any changes that we make must allow for the timely completion of the licensing, environmental, and safety review processes while not compromising on the NRC's vital duty to safeguard public health. I still have some concerns with some of the bills, but we are moving in the right direction.

Unfortunately, that's where the bipartisanship ends. We will also consider four bills on efficiency and grid reliability. These bills are all partisan bills designed to limit the Department of Energy's (DOE) ability to issue energy efficiency standards that help lower energy bills for American families and reduce emissions. They are nothing more than an industry wish-list.

The efficiency bills weaken or remove DOE's authority to issue specific energy efficiency standards. They are adding cumbersome and duplicative requirements to the DOE rulemaking process that will delay and block standards that help Americans save money. One of the bills – the so-called Affordable HOMES Act has never been discussed at a legislative hearing and so we have no idea what its impact would be. We should trust DOE, and the experts who work there, to do their jobs. We should not interfere with specific standards. Republicans also

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want to give FERC the authority to veto other agencies' rules and actions related to the bulk power system even though FERC says it doesn't want this authority.

Finally, we will consider Chair Rodgers's hydropower bill. I have a lot of concerns with this bill. At our legislative hearing last month, the FERC witness said that the bill would exempt roughly 80 percent of hydro projects from licensing. The Council on Environmental Quality witness voiced concerns that the bill's exemptions would threaten the recovery of fish populations. And we did not hear from Tribes or resource agencies, which are both vital voices in this conversation.

The Republican majority only reached out to discuss this bill two days before the markup was noticed. Despite my concerns, Democrats are interested in having a conversation on a bipartisan path forward on hydropower licensing, but forcing this bill through the Subcommittee today makes that conversation much harder.

And with that, I yield back.