

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Ranking Member Frank Pallone, Jr.

Markup of 20 Bills

March 9, 2023

Today Committee Republicans are continuing to push forward their extreme, partisan, polluter-first agenda, and undermining our nation's bedrock environmental laws in the process. Republicans love to talk about taking an "all of the above" approach to building out our energy assets, but NONE of the bills we are marking up today addresses or even references clean energy.

Instead, Republicans are rushing through eight partisan energy bills that have no chance of ever becoming law. Many of these are the same bills that Republicans pushed through the last time they were in charge of the House, back when there was a Republican President and a Republican-controlled Senate – and they *still* couldn't get this legislation over the finish line. But here they are again, clearly out of ideas and attempting to move the same old bills. This is not serious legislating, it's political posturing. Republicans are posturing to their Big Oil and Gas friends at the detriment of the American people.

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

H.R. 1130 removes the requirement that the Department of Energy determine that LNG exports are within the public interest. This Republican bill would lead to more American LNG being sent to China. So much for Republican claims of being tough on China.

Meanwhile, the seven environmental bills we are marking up today endanger the health and safety of the communities we represent. H.R. 1155 would circumvent consideration of safer technologies to avoid chemical disasters. H.R. 1158 seeks to undercut the Toxics Substances Control Act (TSCA) updates that were developed and passed on a bipartisan basis by this Committee in the Frank Lautenberg Act in 2016. TSCA is the best tool we have for protecting our communities from toxic chemical exposure, and it's disturbing that Republicans are now looking to undermine the very law we all worked so hard to update six years ago.

Three of the bills would trade away public health protections to further subsidize polluters. H.R. 1140 sets a dangerous precedent by allowing the Environmental Protection Agency (EPA) to waive any Clean Air Act requirement, fee, or standard, for any "critical energy resource." H.R. 1070 grants Solid Waste Disposal Act permits to owners or operators of "critical energy resource" facilities without requiring basic public health and environmental safety standards. And H.R. 1131 would automatically grant a flexible air permit to every industrial

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facility linked to “critical energy resources” – even those with abysmal track records of Clean Air Act violations.

Two bills would repeal programs enacted by the Inflation Reduction Act – programs that would reduce pollution, lower the deficit, and leverage private sector investments in clean energy projects. H.R. 1023 would revoke the Greenhouse Gas Reduction Program, which invests \$27 billion to rapidly deploy low- and zero-emission technologies. H.R. 1141 targets the Methane Emissions Reduction Program which, at its core, ensures *polluters* pay for wasted methane, not customers.

Taken together, these bills make clear that Republicans refuse to hold polluters accountable for the damage they cause – to our air, our water, our communities, and our climate.

While Democrats delivered historic wins for the American people by passing historic climate legislation – legislation that has already created more than 100,000 good-paying clean energy jobs – Republicans are here today actively working to undermine that progress and do the bidding of their polluter friends. I oppose all of these bills.

We will also markup five bills from the Innovation, Data, and Commerce Subcommittee.

I will support two of the bills that direct the Department of Commerce to prepare reports regarding ways to strengthen U.S. competitiveness. I will also support legislation requiring mobile applications that are banned on federal devices to clearly disclose that information to all users who download or update the applications.

We will also consider two bills focused on data disclosure. While I support giving consumers access to information about their data, I remain concerned these particular bills have been rushed through the legislative process without proper consideration of whether the required disclosures will be useful or just confusing to consumers. Or even worse, I worry that they could contribute to “notice fatigue” reducing the likelihood that consumers will actually focus on the disclosures when they receive them.

I continue to believe that we must work together to protect consumers’ data privacy and I look forward to working together to achieve those shared goals.

And with that I yield back the balance of my time.