

1 NEAL R. GROSS & CO., INC.

2 RPTS MILLER

3 HIF199000

4
5 MARKUP OF H.R. 6351, ADVANCING U.S. CIVIL

6 NUCLEAR COMPETITIVENESS AND JOBS ACT; AND

7 H.R. 6378, PANDEMIC AND ALL-HAZARDS

8 PREPAREDNESS AND ADVANCING INNOVATION ACT OF

9 2018

10 WEDNESDAY, JULY 18, 2018

11 House of Representatives

12 Committee on Energy and Commerce

13 Washington, D.C.

14
15
16
17 The committee met, pursuant to call, at 1:00 p.m., in Room
18 2123 Rayburn House Office Building, Hon. Greg Walden [chairman
19 of the committee] presiding.

20 Members present: Representatives Walden, Barton, Upton,
21 Shimkus, Burgess, Latta, McMorris Rodgers, Harper, Lance,
22 Guthrie, Olson, McKinley, Kinzinger, Griffith, Bilirakis,
23 Johnson, Long, Bucshon, Flores, Brooks, Mullin, Hudson, Collins,
24 Cramer, Walberg, Walters, Costello, Carter, Pallone, Eshoo,
25 Engel, Green, DeGette, Doyle, Schakowsky, Matsui, Sarbanes,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

26 McNerney, Welch, Tonko, Clarke, Loeb sack, Schrader, Kennedy,
27 Peters, and Dingell.

28 Staff present: Mike Bloomquist, Deputy Staff Director;
29 Adam Buckalew, Professional Staff Member, Health; Daniel Butler,
30 Staff Assistant; Karen Christian, General Counsel; Kelly Collins,
31 Staff Assistant; Adam Fromm, Director of Outreach and Coalitions;
32 Ali Fulling, Legislative Clerk, Oversight & Investigations,
33 Digital Commerce and Consumer Protection; Jordan Haverly, Policy
34 Coordinator, Environment; Peter Kielty, Deputy General Counsel;
35 Ed Kim, Policy Coordinator, Health; Ryan Long, Deputy Staff
36 Director; Mary Martin, Deputy Chief Counsel, Energy &
37 Environment; Mark Ratner, Policy Coordinator; Kristen Shatynski,
38 Professional Staff Member, Health; Peter Spencer, Professional
39 Staff Member, Energy; Danielle Steele, Counsel, Health; Austin
40 Stonebraker, Press Assistant; Josh Trent, Deputy Chief Health
41 Counsel, Health; Madeline Vey, Policy Coordinator, Digital
42 Commerce and Consumer Protection; Evan Viau, Legislative Clerk,
43 Communications & Technology; Hamlin Wade, Special Advisor,
44 External Affairs; Jessica Wilkerson, Professional Staff,
45 Oversight & Investigations; Andy Zach, Senior Professional Staff
46 Member, Environment; Jeff Carroll, Minority Staff Director;
47 Elizabeth Ertel, Minority Deputy Clerk; Waverly Gordon, Minority
48 Health Counsel; Tiffany Guarascio, Minority Deputy Staff Director
49 and Chief Health Advisor; Rick Kessler, Minority Senior Advisor
50 and Staff Director, Energy and Environment; John Marshall,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

51 Minority Policy Coordinator; Dan Miller, Minority Policy Analyst;
52 Alexander Ratner, Minority Policy Analyst; Tim Robinson, Minority
53 Chief Counsel; Samantha Satchell, Minority Policy Analyst;
54 Kimberlee Trzeciak, Minority Senior Health Policy Advisor; and
55 Tuley Wright, Minority Energy and Environment Policy Advisor.

56 The Chairman. The committee will come to order. The Chair
57 recognizes himself for an opening statement.

58 We met today to consider 2 important bills that will advance
59 our public health efforts and address key challenges facing
60 America's nuclear energy industry. H.R. 6351, the Advancing U.S.
61 Civil Nuclear Competitiveness and Jobs Act, makes targeted
62 reforms of the interagency review process that authorizes exports
63 of civilian nuclear technologies.

64 A more robust civilian nuclear export market is crucial to
65 our economy and the national security. This legislation, which
66 is brought to us by Representative Johnson, passed the Energy
67 Subcommittee last month with bipartisan support.

68 International competition and global nuclear markets is
69 dominated by our foreign adversaries using resources from
70 state-backed governments to subsidize commercial bids. These
71 activities are purposefully directed to establish a
72 multi-generational strategic relationship between our
73 adversaries and emerging market countries.

74 Representative Johnson's bill adds some clarity and
75 certainty for American nuclear suppliers to engage in foreign
76 commerce by enabling more efficient decision-making at DOE and
77 in the interagency process. Its provisions would especially help
78 the export of low-risk technologies of the countries that is not
79 contrary to our national interest.

80 The bill advances our national security interest by enabling

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

81 our American nuclear industry to compete and win in foreign
82 markets.

83 Second, we will also consider bipartisan legislation to
84 reauthorize the Pandemic and All-Hazards Preparedness Act,
85 affectionately known as PAHPA. Since the terrorist attacks on
86 September 11, 2001, Congress and our country writ large have taken
87 important steps to fortify our health preparedness and response
88 to infrastructure for a wide range of potential threats.

89 So whether it is the Zika virus or last year's devastating
90 hurricane season, it is clear the threats facing our country are
91 diverse and extremely challenging. In my home state, I think
92 about the possibility for a devastating earthquake known as
93 Cascadia, which could take thousands of Oregon lives and leave
94 behind tens of billions of dollars of damage. Responses to these
95 threats and others requires the collaboration of all levels of
96 government with our partners in the private sector, and that is
97 why this legislation is so important.

98 PAHPA was first enacted in 2006. It established a strategic
99 plan to direct research, development, procurement, and medical
100 countermeasures, and created the Assistant Secretary for
101 Preparedness and Response, known as ASPR; and the Biomedical
102 Advanced Research and Development Authority, known as BARDA,
103 within HHS to coordinate these efforts.

104 So I would like to applaud Representatives Brooks and Eshoo.
105 Thanks to both of you for leading our committee's work on this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

106 critical reauthorization. This literally is a must-pass bill
107 that has only been strengthened by all of your work. By passing
108 this bill out of committee today, we are one step closer to
109 ensuring this vital reauthorization is signed into law before
110 the end of September.

111 So I urge my colleagues to support these measures, so we
112 can enhance the global competitiveness of our domestic nuclear
113 suppliers, and strengthen our preparedness and response systems
114 to ensure we are ready for any and all threats that face our country
115 and our citizens.

116 With that, I yield back the balance of my time, and I
117 recognize my friend from New Jersey, Mr. Pallone, for 3 minutes
118 for an opening statement.

119 Mr. Pallone. Thank you, Mr. Chairman. Today we are marking
120 up 2 bills, one I oppose and the other I support. First, I do
121 not support passage of H.R. 6351, the Advancing U.S. Civil Nuclear
122 Competitiveness and Jobs Act. This bill makes changes to the
123 Department of Energy's Part 810 process by which the Secretary
124 of Energy authorizes the transfer of certain nuclear energy
125 technologies and assistance to foreign countries.

126 I am concerned that this bill establishes a 45-day time limit
127 for the Secretary to approve the transfer of nuclear technologies
128 to countries that are not nuclear weapon states. This is a
129 national security issue, and I believe establishing artificial
130 deadlines in this area is dangerous.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

131 We should give the Department the time it needs to keep our
132 country safe. It is just reckless to establish a rigid timeframe
133 on such an important national security matter. And, quite
134 frankly, Mr. Chairman, after President Trump's embarrassing and
135 disgraceful performance in Helsinki with Vladimir Putin this
136 week, I simply do not trust him or his administration to protect
137 our national security.

138 Until we get to the bottom of why the President continues
139 to cozy up to America's enemies, I can't support giving his
140 administration more latitude to share sensitive nuclear
141 technology.

142 I am pleased to join Representatives Brooks and Eshoo and
143 the Chairman in introducing H.R. 6378, the Pandemic and
144 All-Hazards Preparedness and Advancing Innovation Act of 2018.

145 Congress created PAHPA a little more than a decade ago to improve
146 our preparedness in response to a wide range of threats to public
147 health, be it a hurricane, a disease outbreak, or a manmade
148 disaster.

149 And PAHPA supports the development of new treatments and
150 the stockpiling of medications and supplies that are constantly
151 on standby for prompt deployment to communities in case of an
152 emergency. Since we considered this legislation in
153 subcommittee, we have made significant progress and worked
154 closely with stakeholders and members to include additional
155 important policies. This bill is critical to our national

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

156 security and public health, and I urge its swift passage.

157 And, finally, I would like to remind my Republican colleagues
158 once again about the manmade disaster the Trump administration
159 has created at the border and across the country through its zero
160 tolerance policy. I am extremely disappointed that the Chairman
161 still hasn't scheduled a hearing on this crisis.

162 Children are still separated from their parents as we speak,
163 and Secretary Azar and Scott Lloyd need to answer directly to
164 members of this committee on how they plan to fix this mess and
165 what will happen to these families going forward. I think we
166 need to hold a hearing before the August recess.

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

168 The Chairman. The gentleman yields back the balance of his
169 time. The Chair recognizes the gentleman, the Chairman of the
170 Energy Subcommittee, Mr. Upton, for 1 minute.

171 Mr. Upton. Thank you, Mr. Chairman. We are considering
172 today H.R. 6351. Throughout our subcommittee's work in this
173 Congress, we have repeatedly heard about challenges facing the
174 American nuclear industry and international markets. It is clear
175 that certain countries, particularly Russia and China, view civil
176 nuclear commerce as a tool to establish multigenerational
177 strategic relations with foreign governments and emerging nuclear
178 markets.

179 These countries strategically subsidize their respective
180 nuclear industries through mechanisms available to sovereign

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

181 governments, yet lack the overall nuclear safeguards and
182 nonproliferation requirements imposed by the U.S. Government on
183 our domestic industry.

184 The requirements imposed by the U.S. Government on nuclear
185 technology exports are rightfully vigorous. This bill provides
186 measured steps to establish a more efficient and predictable
187 review process for low-risk technologies while maintaining full
188 participation of the agencies under law.

189 I yield back the balance of my time.

190 The Chairman. The gentleman yields back the balance of his
191 time. As members know, their opening statements will be made
192 part of the record. Are there other members seeking recognition?

193 Mr. Green for 1 minute. Okay. Mr. Green is recognized for 1
194 minute? No? Yes?

195 Mr. Green. Thank you, Mr. Chairman, for holding today's
196 full markup authorizing Pandemic and All-Hazards Preparedness
197 Act and legislation to promote civil nuclear energy. PAHPA is
198 a vital tool in our nation's efforts to protect our citizens from
199 both natural and manmade disasters.

200 Recent events in the last year, including Hurricane Harvey,
201 that devastated Houston and Southeast Texas last August, made
202 urgently clear the importance of preparing for a public health
203 crisis.

204 I thank Representatives Eshoo and Brooks for introducing
205 the Pandemic and All-Hazards Preparedness and Advancing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

206 Innovation Act, clearly, earlier this week, with Ranking Member
207 Pallone and Chairman Walden. This is good bipartisan
208 legislation, and I ask all my colleagues to support it.

209 I support many of the goals in Mr. Johnson's Advancing U.S.
210 Civil Nuclear Competitiveness and Jobs Act. U.S. nuclear
211 technology is the best and safest in the world. There is a real
212 we see so many foreign companies wishing to develop their
213 infrastructure with our experience.

214 I am glad Mr. Johnson was willing to work with interested
215 members on our side to improve Section B and now would be -- I
216 will be voting for the support of the bill.

217 Thank you, Mr. Chairman, and I yield back my time.

218 The Chairman. The gentleman yields back the balance of his
219 time. The Chair recognizes the gentleman from Texas, Dr.
220 Burgess, for 1 minute.

221 Mr. Burgess. Thank you, Mr. Chairman, and thank you for
222 today's markup of H.R. 6378, the Pandemic and All-Hazards
223 Preparedness and Advancing Innovation Act, which does reauthorize
224 the All-Hazards Preparedness Act for 5 years and includes other
225 important member and stakeholder priorities, so that our partners
226 at the federal, state, and local levels have the tools and
227 resources to quickly and effectively respond when disaster
228 strikes.

229 To bolster their efforts, I am glad to see that the MISSION
230 ZERO Act language and language to improve the technological

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

231 infrastructure of the BioWatch Program is included in this bill.
232 This bill also establishes additional objectives for certain
233 trauma centers across our nation.

234 And I certainly want to thank Representatives Brooks and
235 Eshoo for working with us to include these priorities in the
236 reauthorization. It is vital to protect the lives of all
237 Americans, and I commend the hard work of our committee members
238 and our staff on both sides of the dais on this legislation and
239 yield back.

240 The Chairman. The gentleman yields back. Are there other
241 members seeking recognition in general? The gentlelady from
242 California, Ms. Matsui, is recognized for 1 minute.

243 Ms. Matsui. Thank you, Mr. Chairman. I am pleased that
244 we are working together today to reauthorize critical pandemic
245 and all-hazards preparedness programs, and I commend my
246 colleagues, Representatives Brooks and Eshoo, for their
247 bipartisan leadership.

248 We worked on many priorities in this legislation to ensure
249 our nation's healthcare system is prepared in the case of natural
250 disasters, attacks, or other emergencies. Cyberattacks
251 certainly pose a threat to our national security, and we have
252 already seen the impact they have on the healthcare system with
253 the WannaCry attack. This bill would require HHS to include cyber
254 security in its plans, which I believe is a first step in the
255 process.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

256 I am also concerned about the safety of our strategic
257 national stockpile where we keep important supplies to use in
258 emergencies like Zika or Ebola. Some of those supplies are drugs,
259 and it is important that we ensure the stability of drugs in the
260 stockpile.

261 Concerns have been raised about the impact of glass failures
262 on the delivery of safe, secure, and sterile countermeasures.

263 So I support the language in the manager's amendment urging ASPR
264 to study issues that could compromise countermeasures, such as
265 glass failures, and report to the Congress whenever further action
266 is needed.

267 I look forward to working with my colleagues to advance this
268 important legislation. Thank you, and I yield back.

269 The Chairman. The gentlelady yields back. The Chair
270 recognizes the gentleman from Mississippi, Mr. Harper, for
271 1 minute.

272 Mr. Harper. Thank you, Mr. Chairman. Thank you for
273 bringing these important bills to the committee for markup today.

274 I am pleased to speak about the Pandemic and All-Hazards
275 Preparedness and Advancing Innovation Act of 2018, which we
276 authorized as critical preparedness and response activities at
277 the Department of Health and Human Services.

278 This legislation will enable the Federal Government to
279 prepare for possible threats in the event of natural disasters
280 or other types of natural emergencies. Mississippi is no

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

281 stranger to these sorts of threats. After Hurricane Katrina,
282 it devastated the Mississippi Gulf Coast. The University of
283 Mississippi Medical Center, or UMMC, developed a statewide
284 preparedness and response system for future emergencies.

285 The University of Mississippi Medical Center is the state's
286 only academic medical center and only Level 1 trauma center.
287 And the rural nature of our state causes available resources to
288 be especially vulnerable during these times of crisis. The
289 legislation we are considering today includes a provision that
290 would enable the establishment of regional demonstration projects
291 to improve capacity and coordination during these emergencies.

292

293 Mr. Chairman, I appreciate your work on the bill and support
294 of the Energy and Commerce Committee staff on this effort. Again,
295 thank you for holding this markup today, and I yield back.

296 The Chairman. You are welcome. The Chair -- anyone on the
297 Democratic side seeking recognition before we call up the bills?

298 Anybody else on the Republican side? Seeing none, the Chair
299 now calls up H.R. 6378 and asks the Clerk to report.

300 [The Bill H.R. 6378 follows:]

301

302 *****INSERT 1*****

303 The Clerk. H.R. 6378, to reauthorize certain programs under
304 the Public Health Service Act and the Federal Food, Drug, and
305 Cosmetic Act, with respect to public health security and
306 all-hazards preparedness and response, and for other purposes.

307 The Chairman. Without objection, the first reading of the
308 bill is dispensed with. The bill will be open for amendment at
309 any point. The Chair -- what? Oh. I believe there is a
310 manager's amendment. The Clerk will report the manager's
311 amendment.

312 [The Amendment offered by Mrs. Brooks follows:]

313

314 *****COMMITTEE INSERT 2*****

315 The Clerk. Amendment to H.R. 6378 offered by Mrs. Brooks.
316 The Chairman. Without objection, further reading of the
317 amendment is suspended with, and we recognize the gentlelady from
318 Indiana to speak on the manager's amendment for 5 minutes.

319 Mrs. Brooks. Thank you. Thank you, Mr. Chairman. I move
320 to strike the last word. Thank you for bringing the Pandemic
321 and All-Hazards Preparedness and Advancing Innovation Act of
322 2018, what we call PAHPA, before our committee today, and to all
323 committee members for your work and contributions to the bill.

324 I am proud to have introduced this important bill with my
325 good friend, Representative Anna Eshoo, who is one of the original
326 authors of the 2006 PAHPA bill and the lead author of the last
327 reauthorization in 2013.

328 This bipartisan public health and national security effort
329 will ensure our nation is better prepared to respond to natural
330 disasters, emerging infectious diseases, and chemical,
331 biological, radiological, or nuclear attacks, whether they come
332 from terrorist groups or from nation states.

333 I was U.S. Attorney for the Southern District of Indiana
334 in 2001 during the anthrax attacks, which infected more than 17
335 people, killing 5, and it paralyzed our nation's capital. Not
336 only was Congress a target with letters containing anthrax spores,
337 but my own U.S. Attorney's Office in Indiana received a hoax
338 letter, a letter filled with white powder inside. It was a hoax.
339 But in the 17 years since then, the threat of chemical,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

340 biological, radiological, or nuclear incidents continues to grow.

341 Every day our adversaries are looking for more effective
342 and faster ways to produce a threat. And as everyone here knows,
343 it is not a question of if we will face a threat, a threat that
344 is constantly changing, but it is a question of when.

345 Our bill reflects extensive feedback from a full range of
346 medical and health professionals, public health preparedness and
347 response stakeholders, and I would like to request that the
348 Chairman submit -- I am submitting a list of more than 40
349 organizations, and growing by the hour, supporting this
350 legislation for the record.

351 The Chairman. Without objection.

352 [The information follows:]

353

354 *****COMMITTEE INSERT 3*****

355 Mrs. Brooks. Our bill ensures our preparedness and response
356 capabilities will include a robust pipeline of medical
357 countermeasures as it reauthorizes and increases funding for the
358 BioShield Special Reserve Fund, and BARDA, the Biomedical
359 Advanced Research and Development Authority.

360 The development of medical countermeasures is a lengthy and
361 often risky endeavor, which is why sending a clear signal that
362 BARDA remains a strong and committed partner with academic
363 institutions and particularly the private sectors in these
364 efforts is so important.

365 The development of vaccines and drugs is a challenging
366 process. Although naturally occurring smallpox has been
367 eradicated around the globe, at least 2 labs, including one in
368 Russia, have live samples of the virus that could be weaponized.
369 But thanks to PAHPA, 21st Century Cures, we are more prepared
370 for these kinds of threats.

371 Last Friday the FDA approved the first drug to treat
372 smallpox. It is called TPOXX. TPOXX is not the only recent
373 approval by the FDA. Days before, on July 10, the FDA approved
374 an auto-injector, which provides a 1-time dose of an antidote
375 to block the effects of nerve agent, which we have heard about
376 lately.

377 In an effort to ensure we are better prepared when we face
378 an outbreak like Zika or Ebola, PAHPA improves the Existing
379 Emergency Response Fund, so that the Secretary doesn't have to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

380 wait on approval from Congress to immediately fund response
381 measures needed to counteract an outbreak.

382 After the devastating hurricanes in Florida and Puerto Rico,
383 we know we need to do better to prioritize the needs of everyone
384 in our community -- vulnerable populations, children, senior
385 citizens, people with disabilities. Our bill reauthorizes
386 advisory committees and creates new committees to ensure the needs
387 of seniors and people with disabilities.

388 Our bill also ensures that more healthcare professionals
389 -- nurses, doctors, and others -- can be hired and trained when
390 facing a public health crisis. We also strengthen the national
391 disaster medical system, and we ensure that we have a robust supply
392 of vaccines, equipment, basics like gloves, HAZMAT suits, masks,
393 and others, in our strategic national stockpiles located all
394 across the country, so our professionals have the equipment they
395 need.

396 As a committee, we have heard a lot about the important role
397 of diagnostics, particular point-of-care diagnostics. And, Mr.
398 Chairman, as we move forward, I ask the committee to continue
399 to consider ways to utilize diagnostics in a more meaningful way
400 in order to identify infectious diseases and prevent
401 antimicrobial resistance.

402 I can't emphasize enough how critically important it is that
403 we reauthorize PAHPA before it expires at the end of September.
404 We have a duty, as members of Congress, to keep Americans safe

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

405 and secure. This bill I believe is an essential component of
406 accomplishing that goal.

407 I want to thank everyone, especially our staffs, for your
408 incredibly hard work. I look forward to continuing this work
409 as we get this bill to the President's desk.

410 Thank you, Mr. Chairman. I yield back.

411 The Chairman. I thank the gentlelady for her comments and
412 for her and Ms. Eshoo's really hard work on this.

413 Before we proceed, I am going to exercise the authority of
414 the Chair and introduce our newest staff person who is at the
415 table, Elizabeth Carroll, daughter of Jeff Carroll. Elizabeth,
416 thank you. You are doing a wonderful job.

417 [Applause.]

418 The Chairman. Appreciate your distributing the manager's
419 amendment, and I am sure your father is going to treat you to
420 ice cream later today.

421 [Laughter.]

422 The Chairman. Among other things. How am I doing?

423 We will now go to Ms. Eshoo for 5 minutes to speak on the
424 manager's amendment.

425 Ms. Eshoo. Thank you, Mr. Chairman. I move to strike the
426 last word. I am so pleased that our bipartisan legislation with
427 Congresswoman Brooks is being marked up today. It reauthorizes,
428 as she said, the Pandemic and All-Hazards Preparedness Act. We
429 call it PAHPA.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

430 And I am so proud to have worked closely with Congresswoman
431 Brooks. I have said it before, I will say it again: I could
432 not have asked for a better partner. She is a thoroughbred
433 legislator and a true pleasure to work with.

434 I appreciate, Mr. Chairman, that you have helped to shepherd
435 this through to keep the commitment, as you said, that it was
436 must-pass legislation, together with our Ranking Member. So I
437 thank you for making sure that we reached this day.

438 As you all know, in 2001, our nation endured the horrific
439 attacks on September 11, and the anthrax attacks that followed
440 shortly thereafter. Congress realized that our country was not
441 prepared to coordinate responses to mass casualty events or
442 chemical attacks. So it is I think a rarity that our committee
443 is taking up legislation, reauthorizing legislation, that is --
444 actually has a great deal to do with our national security, but
445 this bill does.

446 In 2006, I wrote legislation with then-Representative
447 Richard Burr, who was a member of this committee, to address these
448 shortfalls. That important bipartisan legislation, PAHPA, was
449 signed into law the same year.

450 Events over the past few years, including Zika, the
451 reemergence of Ebola, and the constant looming threat of a
452 biological attack by another nation or hostile non-state enemies
453 -- something that has grown as well, unfortunately -- underscore
454 the real threats our country continues to face.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

455 In 2017, our nation experienced the most destructive
456 hurricane season in recent memory, followed quickly by the most
457 deadly flu season in decades. Our experience with each of these
458 reminded us that our country is not yet adequately prepared to
459 deal with potentially devastating, widespread public health
460 crises, and that is why this legislation is so critical.

461 PAHPA makes changes to the original legislation to direct
462 federal agencies to respond to new and emerging threats, and it
463 threatens our nation's existing preparedness and response
464 programs. This is bringing the challenges of the legislation
465 to meet the challenges that we know face us today and in the future.

466 The legislation provides the authorization and federal
467 resources to invest in programs related to pandemic influenza
468 and emerging infectious diseases while allowing BARDA, which has
469 really been very, very successful, to maintain its nimble and
470 flexible framework.

471 This is the agency that actually makes good on placing the
472 orders for the drugs that are needed to be stockpiled, but where
473 the Federal Government is the only customer. There is no other
474 market for it, and that is why BARDA is so important.

475 The bill directs BARDA to address antimicrobial resistance,
476 which is critical to our nation's biodefense. If we have a
477 chemical or biological attack that leaves individuals with burns
478 or open wounds, the medical countermeasures that BARDA has
479 developed to treat that attack will be useless if those injured

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

480 contract secondary antibiotic resistant infections.

481 So we need to continue, and that is why the forward
482 appropriations are so important to invest in research and
483 development of the new and novel antibiotics.

484 The bill restores advanced appropriations for Project
485 BioShield Special Reserve Fund, which is very important. And
486 I am really pleased, and all the members of the committee, I think
487 this should be a source of pride to you as well. We had so many
488 stakeholders that were a part of this, not only from the
489 subcommittee, not only from the full committee on both sides of
490 the aisle, but the Republican conference and the Democratic
491 caucus.

492 And we worked with all of those members who bettered and
493 strengthened the bill with their ideas, many of them borne out
494 of the emergencies that they saw firsthand taking place in their
495 congressional districts. So I want to thank all of those
496 stakeholders.

497 The legislation also reauthorizes the National Advisory
498 Committee on Children and Disasters. There is more that I could
499 talk about, but I think my time is up.

500 The last thing I want to say, Mr. Chairman, is the 2 key
501 staffers in this, Catherine Knowles from Congresswoman Brooks'
502 staff and Rachel Fybel on my staff, truly, without them, we
503 wouldn't be here today. So bravo to them and to everyone that
504 --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

505 The Chairman. Hear, hear.

506 [Applause.]

507 Ms. Eshoo. Thank you. And I yield back.

508 The Chairman. The gentlelady -- I thank you for your work
509 on this. It is great work, and it is really going to save lives.
510 It really is.

511 We now recognize the gentleman from Illinois, Mr. Shimkus,
512 for 5 minutes to strike the last word.

513 Mr. Shimkus. Thank you, Mr. Chairman. Mr. Chairman, one
514 thing lacking in the legislation is what Congressman Cardenas
515 and I have been working on, is the antimicrobial resistance issue,
516 i.e. the superbug concern, which is predominant in health care.

517 I am being told we are continuing to move towards consensus,
518 but, obviously, not enough for it to be included in this piece
519 of legislation. So we hope that we can do that.

520 The very basic, simple premise is that if we want to have
521 antimicrobial-resistant drugs on the counter when we need it,
522 we have to find a way to pay for it, hoping that we never use
523 them. That is the basic premise. Or we use it in such a small
524 batch that you can't -- there is not a return on investment of
525 the research.

526 So that -- and I am proud to have Congressman Cardenas join
527 me in this cause.

528 I also would like to submit for the record some letters in
529 support. I have a letter to me and Congressman Cardenas from

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

530 the Infectious Diseases Society of America dated June 29. I have
531 another one dated June 28 from the Antimicrobial Innovation
532 Alliance. And the last one, addressed to you and the Ranking
533 Member, Congressman Pallone, from the Biotechnology Innovation
534 Organization. And I hope we can encourage our staffs to keep
535 working, so when this gets to the floor this can be included.

536 Thank you, Mr. Chairman. With that --

537 Mr. Burgess. Would the gentleman yield?

538 Mr. Shimkus. I would yield to Dr. Burgess.

539 Mr. Burgess. I thank the gentleman for yielding.

540 And, Mr. Chairman, I want to speak just on the underlying
541 bill, not on the manager's amendment. But this is a -- this bill
542 today demonstrates our committee can get its job done in a
543 bipartisan and timely manner on important public health programs
544 before their expiration.

545 We have other important work remaining, but I think it is
546 worth noting that this reauthorization bill is being delivered
547 ahead of time. It includes many bipartisan member priorities.

548 I have been working to include the MISSION ZERO Act, which I
549 authored with the subcommittee Ranking Member, Mr. Green of Texas,
550 and Representatives Hudson and Castor.

551 This has already passed the House earlier this year with
552 strong bipartisan support. The bill would establish a grant
553 program for military-civilian partnerships in trauma care, and
554 allow both sectors to benefit from each other's experience and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

555 expertise. The program is intended to address a significant
556 variation in trauma care delivery across the country while also
557 helping our troops maintain battlefield readiness between periods
558 of active engagement.

559 We have experienced many scientific and technological
560 advances in the last 20 years, and we must be prepared to address
561 potential public health threats from those intent on using these
562 advances against us.

563 The BioWatch Program is the domestic early warning system
564 of an aerosolized biologic attack and the cornerstone of the
565 Department of Homeland Security's comprehensive strategy for
566 countering terrorism. According to CRS, the program does not
567 have any clear authorization in statute, and it originated from
568 an executive order in the Bush administration in the wake of 9/11.

569 Since that time, it has been subject to numerous issues and
570 shortfalls, including false alarms.

571 The BioWatch operates in more than 30 jurisdictions,
572 including the Dallas-Fort Worth Airport. So I want to thank
573 Representatives Brooks and Eshoo for putting the BioWatch
574 language in the reauthorization bill that would codify this vital
575 joint HHS-Department of Homeland Security biosurveillance
576 program. And it will help facilitate the exchange of information
577 and technology between agencies and authorize Department of
578 Health and Human Services and DHS to make recommendations to
579 fortify biological threat detection systems and positively impact

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

580 local public health entities.

581 I look forward to the passage of this bill, and I yield back
582 to the gentleman from Illinois.

583 The Chairman. The gentleman yields --

584 Mr. Shimkus. I yield back.

585 The Chairman. The gentleman yields back. The Chair
586 recognizes the gentleman from California, Mr. Peters, for 5
587 minutes to strike the last word.

588 Mr. Peters. Thank you, Mr. Chairman, and thank you to
589 Ranking Member Pallone, both of you, for your leadership on this
590 important issue, and also to Ms. Eshoo and Mrs. Brooks as long-time
591 leaders of this effort.

592 We don't know when emergencies will happen; we only know
593 that they will. We don't know how they will happen; we only know
594 that they will happen with increasing severity and frequency.

595 Whether it is devastating hurricanes in Puerto Rico and across
596 the south, out-of-control wildfires in California or Oregon, or
597 infectious diseases spreading around the world, we are facing
598 a future of increasingly deadly manmade and natural biological
599 threats.

600 In San Diego, we have experienced severe wildfires and a
601 Hepatitis A outbreak, just on the heels of one of the deadliest
602 flu seasons people can remember. The 2017-2018 flu season
603 claimed the lives of 341 San Diegans. Just last year, the CDC
604 declared that the Hep. A outbreak was one of the deadliest on

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

605 record. From November 2016 to January 2018, the city estimates
606 that 20 people died from Hep. A, and 580 people have been infected.

607 Today we have an opportunity to vote on a bill that authorizes
608 funding to detect, prepare, and respond to public health
609 emergencies with responsible congressional oversight. For
610 years, Congress has not appropriated adequate money for public
611 health emergencies, including the Public Health Emergency Fund.

612

613 That is why I am grateful to the committee for having worked
614 with me and my colleagues in the Senate to include the updated
615 Section 205, a provision that will put more than \$150 million
616 a year between 2019 and 2023 to CDC to pay for the predictably
617 unpredictable in a responsible and a transparent way.

618 I hope that my colleagues will commit to continue working
619 together in a bipartisan way to ensure adequate funding of the
620 Public Health Emergency Fund, and other important emergency
621 preparedness and response priorities.

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

623 The Chairman. I thank the gentleman for his good work on
624 this legislation. The gentleman yields back the balance of his
625 time. The Chair recognizes the gentleman from New Jersey.

626 Mr. Pallone. Thank you, Mr. Chairman. I just would ask
627 unanimous consent to enter into the record some letters that are
628 in opposition to the REVAMP Act.

629 The Chairman. Without objection, so ordered.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

630

[The information follows:]

631

632

*****COMMITTEE INSERT 4*****

633 The Chairman. Are there members on the Republican side
634 seeking recognition? The Chair recognizes the gentleman from
635 Florida, Mr. Bilirakis, for 5 minutes --

636 Mr. Bilirakis. Thank you, Mr. Chairman.

637 The Chairman. -- to strike the last word.

638 Mr. Bilirakis. Thank you, Mr. Chairman. Mr. Chairman, I
639 would like to first thank Representative Brooks, and of course
640 Anna Eshoo, who have worked diligently to deliver a bipartisan
641 bill to reflect the priorities of me and my colleagues. Again,
642 true to form, the Energy and Commerce Committee comes through
643 once again. This is an important bill.

644 I was pleased to see 3 of my priorities reflected in this
645 particular bill. First, direct hire authority for ASPR. Direct
646 hire authority will allow ASPR to fill vacant emergency response
647 positions on disaster medical assistance teams, critical to
648 effective disaster response.

649 Next, a GAO study to assess current mission readiness of
650 ASPR's disaster medical assistance teams to ensure effective
651 emergency response to correct emerging threats, both natural and
652 manmade.

653 Finally, I was pleased to see children, seniors, and other
654 at-risk patient communities being addressed in this particular
655 bill. I have had the pleasure also of working with the Jack
656 Nicklaus Children's Hospital and FIU, Florida International
657 University, as they develop a novel approach for pediatric

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

658 medicine delivery during a disaster response. This bill will
659 allow them to continue to innovate and ultimately save lives.

660 Mr. Chairman, this represents a collaborative effort and
661 is something we can all be proud of. Thank you for your leadership
662 in this committee and on this bill. Thank you, Mr. Chairman,
663 and I thank the Ranking Member as well, and I yield back.

664 The Chairman. The gentleman yields back. Other members
665 seeking recognition? The gentlelady from Illinois, Ms.
666 Schakowsky, is recognized for 5 minutes to strike the last word.

667 Ms. Schakowsky. Thank you, Mr. Chairman. I want to thank
668 Representatives Eshoo and Brooks for their leadership on this
669 bill, as well as Ranking Member Pallone, and Chairman Walden,
670 thank you for working with us all on H.R. 6378, the Pandemic and
671 All-Hazards Preparedness Act.

672 I am really proud to have worked with all of you to include
673 2 provisions that strengthen our disaster preparedness and
674 response. The first is language from my bill, H.R. 5998, the
675 SECURE Act, to reauthorize the critical loan repayment program
676 for Epidemic Intelligence Service, EIS, officers serving at the
677 Center for Disease Control.

678 That program is crucial to recruiting the very best medical
679 professionals to keep our country safe from biohazards. EIS
680 officers are health professionals who serve on the front lines
681 of public health emergencies as boots-on-the-ground disease
682 detectives who investigate outbreaks and assist in the response.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

683 For example, EIS officers have responded to threats like
684 Ebola, anthrax, SARS, swine and avian flu, smallpox eradication,
685 and provided disaster relief during 9/11, and Hurricanes Harvey,
686 Irma, Maria, and Katrina. EIS officers are based in public health
687 departments across the country and are ready to serve on the front
688 lines of public health emergencies. They protect Americans and
689 the global community by deploying more than 200 -- being deployed
690 more than 200 times every year.

691 Another provision that I am pleased is included in PAHPA
692 is one that directly addresses the unique needs of seniors in
693 disasters. The creation of the National Advisory Committee on
694 Seniors and Disasters brings together representatives from the
695 federal agencies, state and local divisions, and experts in
696 medical disaster planning, preparedness, and response, to develop
697 strategies that share critical information to help better respond
698 to the needs of older Americans.

699 We know that seniors have distinct considerations when
700 preparing and responding to disasters, medical conditions that
701 require special medical equipment, like oxygen tanks, and limited
702 mobility that require wheelchairs or walking aids, as well as
703 limited transportation to leave their home or living centers.

704 Hurricanes Irma and Harvey made it overwhelmingly clear that
705 more needs to be done to prepare and protect seniors during
706 emergencies. When Hurricane Harvey struck, seniors were trapped
707 in a nursing home in Texas with flood waters up to their waists

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

708 as their relatives were unable to reach authorities for help.

709

710 Similarly, after Hurricane Irma, 8 residents at the
711 Hollywood Hills Senior Center in Florida tragically died. The
712 emergency plans in place were just not enough to prevent these
713 unnecessary deaths. We must ensure that emergency plans and
714 guidelines sufficiently protect everyone. With the Advisory
715 Committee on Seniors and Disasters, we can guarantee that a team
716 of experts will provide much-needed information and coordination
717 on the needs of seniors during emergencies.

718 I thank you, and I yield back.

719 The Chairman. The gentlelady yields back. Other members
720 seeking recognition? The Chair recognizes the gentleman from
721 New York, Mr. Collins, for 5 minutes to strike the last word.

722 Mr. Collins. Thank you, Mr. Chairman. As we wrote -- as
723 we vote on the Pandemic and All-Hazards Preparedness and Advancing
724 Innovation Act of 2018, I would like to thank Congresswoman
725 Brooks, Congresswoman Eshoo, and members of the Health
726 Subcommittee on my proposal that would ensure Americans have
727 access to safe, secure, and sterile medical countermeasures
728 during public health emergencies.

729 Throughout the legislative process, Congressman Barton,
730 Congressman Griffith, Congresswoman Matsui, and I addressed a
731 safety issue related to breakage, cracks, and particles in glass
732 vials that could contaminate drugs contained in them.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

733 Since December, the FDA issued 5 glass recalls, and the
734 agency warned both healthcare providers and patients that glass
735 particles and cracks can cause blood clots, sepsis, and other
736 life-threatening events.

737 Our proposal encourages the Assistant Secretary for
738 Preparedness and Response to conduct an evaluation of obstacles
739 to rapid delivery. If the study finds issues that could adversely
740 affect the delivery of the strategic national stockpile, like
741 glass failures, the Assistant Secretary would report its findings
742 to Congress.

743 We want to ensure that the Assistant Secretary continues
744 to be effective and benefit through the use of innovative
745 technologies or improved methods.

746 This effort was accomplished in a collaborative and
747 bipartisan spirit. I thank the committee and the staff for
748 supporting the study and look forward to working on report
749 language.

750 Mr. Chairman, I will yield back the balance of my time to
751 Congressman Griffith, if he would like.

752 Mr. Griffith. Yes. Thank you very much. I appreciate
753 that. I do want to thank Congressman Collins and along with
754 committee Representatives Brooks and Eshoo for moving us in the
755 right direction to address the concerns over potential glass
756 breakage with respect to the storage and delivery of medical
757 countermeasures.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

758 This is a concern I brought up at the Health Subcommittee
759 hearing, and I appreciate the work on finding a compromise to
760 this issue. I understand we are in a little bit of a squabble
761 over "mays" and "shalls," which lawyers love but nobody else
762 really understands. But I really appreciate everybody working
763 together to try to get this language taken care of.

764 And with that, I would yield back to Mr. Collins.

765 Mr. Barton. Would the gentleman from New York yield?

766 Mr. Collins. Yes, I will.

767 Mr. Barton. Thank you. I want to add to what Mr. Griffith
768 said. I have been somewhat involved with this and want to
769 compliment Chairman Walden and Ranking Member Pallone for working
770 on this. I think a study is adequate at this time. We will see
771 what the results of that study are.

772 But I think it, again, shows how the committee can work in
773 a bipartisan way to address an issue that potentially could be
774 very harmful. I am not saying it would be, but it could be, so
775 I think this study is excellent and thank Mr. Collins for his
776 leadership on it.

777 And I yield to the gentleman from New York.

778 Mr. Collins. Mr. Chair, I yield back.

779 The Chairman. The gentleman yields back. Other members
780 seeking recognition? On the Democratic side, the Chair
781 recognizes the gentlelady from Michigan, Mrs. Dingell, for 5
782 minutes to strike the last word.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

783 Mrs. Dingell. Thank you, Mr. Chairman, and thanks to both
784 you and Ranking Member Pallone for your leadership and shepherding
785 this bill to full committee in a collaborative and bipartisan
786 process that deserves all of our support.

787 And like everybody else here, I really want to thank the
788 authors of this bill, Congresswoman Susan Brooks and
789 Congresswoman Anna Eshoo, for each of their leadership and
790 dedication to reauthorizing critical emergency preparedness
791 programs that will expire later this year. It wouldn't have
792 happened without the girl power. No offense, men, but it is true.

793 The bill before us, H.R. 6378, the Pandemic and All-Hazards
794 Preparedness and Advancing Innovation Act of 2018, will make
795 important changes to our public health and medical emergency
796 preparedness and response system in the years ahead. And I was
797 pleased to see several important bipartisan bills included in
798 the final product the committee will vote on today.

799 Included in this bill is bipartisan legislation that I
800 introduced with Rep. Daniel Webster in the aftermath of several
801 record-setting natural disasters last year. We were all
802 captivated, horrified, and concerned with stories of nursing
803 homes and hospitals that lost power for significant periods of
804 time, which unfortunately resulted in a loss of life.

805 We have to take lessons learned from these historic disasters
806 to ensure that hospitals, nursing homes, and long-term care
807 facilities are fully prepared when disaster strikes. Our

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

808 provision directs the United States Health and Human Services
809 to engage with the National Academy of Medicine to conduct a
810 comprehensive study into the assessment of future threats
811 impacting emergency preparedness policies and procedures across
812 the healthcare system.

813 This study matters, and it will make a difference as we look
814 to new policies and procedures to improve our preparedness and
815 readiness for future generations.

816 Additionally, an important provision championed by
817 Representative Debbie Wasserman-Schultz that requires health
818 departments to plan for nursing facilities in a similar way that
819 they plan for hospitals is also included in the bill before us
820 today. And I want to thank my colleague from Florida for her
821 leadership on this issue.

822 While this has been a great display of bipartisanship that
823 is keeping with the long tradition of this committee, there is
824 one area I hope we will work on together, which is as we continue
825 to work on this bill getting signed into law, and that is
826 increasing funding for the Hospital Preparedness Program.

827 The HPP program has received about half the funding it once
828 did. Given the growing threats, it seems that we need to provide
829 more resources, not less.

830 The healthcare system is designed by the Department of
831 Homeland Security as one of the 16 critical infrastructure
832 sectors, and the HPP program is the only federal funding source

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

833 that supports efforts by the regional healthcare systems to
834 improve preparedness against all threats through grants and
835 coalitions. Robust funding for this program matters.

836 Mr. Chairman, I would also like to ask for unanimous consent
837 to submit a statement for the record by America's Essential
838 Hospitals in support of increasing funding for the Hospital
839 Preparedness Program. Is that -- Mr. Chairman, if that is
840 unanimous consent. And then --

841 The Chairman. Without objection.

842 [The information follows:]

843

844 *****COMMITTEE INSERT 5*****

845 Mrs. Dingell. thank you. And, again, thank you to all my
846 colleagues for their hard work on this vital reauthorization bill.

847 I am proud to support this important legislation, and I will
848 look forward to us all supporting it.

849 I yield back the balance of my time.

850 The Chairman. The gentlelady yields back the balance of
851 her time. I believe the gentlelady from Indiana had a unanimous
852 consent request.

853 Mrs. Brooks. Yes, Mr. Chairman. I ask unanimous consent
854 to submit the following letters of support into the record:
855 American College of Surgeons, Coalition for Epidemic
856 Preparedness, Innovations, California Life Sciences Association,
857 and the Antimicrobial Working Group.

858 The Chairman. Without objection, so ordered.

859 [The information follows:]

860

861 *****COMMITTEE INSERT 6*****

862 The Chairman. The Chair recognizes the gentleman from
863 Georgia, Mr. Carter, for 5 minutes, if necessary, to strike the
864 last word.

865 Mr. Carter. Thank you, Mr. Chairman. Mr. Chairman, I want
866 to thank Representatives Brooks and Eshoo for their willingness
867 to include a grant program in the manager's amendment to study
868 and reduce acquired infections that occur in healthcare settings.

869 This grant program would be awarded to a health system that has
870 extensive experience in treating patients to full recovery from
871 a high consequence pathogen such as Ebola.

872 The funds would be used to study the reduction of the
873 transmission of healthcare-acquired infections, targeting the
874 spread of disease between doctors, nurses, researchers, food and
875 environmental services, facilities, and healthcare
876 administrators. the goal of this grant is to develop and employ
877 best practices in healthcare settings to prevent the next deadly
878 pandemic and advance the health, safety, and well-being of the
879 people of the United States.

880 I want to thank my colleagues for working to include this
881 language in a manager's amendment to appropriately address the
882 spread of healthcare-acquired infections. I look forward to
883 passing this legislation out of full committee, and to the House
884 floor.

885 Thank you, Mr. Chairman, and I yield back.

886 The Chairman. The gentleman yields back. Any other

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

887 members seeking recognition on the manager's amendment? If not,
888 the question now arises on approving the amendment.

889 All those in favor will say aye.

890 Those opposed, nay.

891 The ayes appear to have it. The ayes have it.

892 The question now occurs on favorably reporting H.R. 6378,
893 as amended, to the House.

894 All those in favor shall signify by saying aye.

895 All those opposed, no.

896 The ayes appear to have it. The ayes have it. The bill
897 is favorably reported, and congratulations to all who worked on
898 that.

899 The Chair now calls up H.R. 6351 and asks the Clerk to report.

900 [The Bill H.R. 6351 follows:]

901

902 *****INSERT 7*****

903 The Clerk. H.R. 6351, to amend the Atomic Energy Act of
904 1954 to improve the process by which the Secretary of Energy
905 authorizes the transfer of civilian nuclear commerce technology
906 and assistance, and for other purposes.

907 The Chairman. Without objection, the first reading of the
908 bill is dispensed with. The bill will be open for amendment at
909 any time. For what purpose does the gentleman from Ohio seek
910 recognition?

911 Mr. Johnson. Mr. Chairman, I move to strike the last word.

912 The Chairman. The gentleman is recognized to strike the
913 last word.

914 Mr. Johnson. Mr. Chairman, I would like to briefly touch
915 on this bipartisan H.R. 6351, the Advancing U.S. Civil Nuclear
916 Competitiveness and Jobs Act. I want to thank my colleagues on
917 the other side of the aisle, Mr. Doyle and Mr. Green specifically,
918 for working with us to strengthen the bill.

919 As the committee is well aware, the Department of Energy
920 plays a critical role in America's civil nuclear industry's
921 engagement in international commerce through the Part 810
922 permitting process. And it is no secret Russia and China are
923 using nuclear power projects to build energy dependence, and
924 eventually force compliance to their international objectives.
925 And the world is waiting to see how the United States will
926 respond.

927 For instance, Turkey recently broke ground on its first

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

928 nuclear power plant, which will be built, owned, and operated
929 by Russia. Russia, and increasingly China, will bid for projects
930 with its state-owned nuclear company through a model that finances
931 the construction of nuclear plants, furnishes the trained
932 personnel to run them, and leases them back to the client country.

933 Russia will offer nuclear project debt with better terms
934 than market rates, and provide lucrative
935 government-to-government loans that will help to incentivize
936 countries to enter into the Russian nuclear agreements.

937 These types of actions and incentive packages make one thing
938 perfectly clear. These countries see nuclear power as more than
939 just a commercial deal. They see it as a strategic 100-year
940 state-to-state relationship.

941 To further stress this point, Russia's relations with the
942 European Union was strained following Moscow's annexation of
943 Crimea. And as a result, the EU has been trying to reduce its
944 reliance on Russia for energy supply as it imposed economic
945 sanctions on Moscow, but that has not stopped Russia from entering
946 into new nuclear deals with countries in Eastern Europe, as Russia
947 has offered to entirely finance some of those projects.

948 So needless to say, as these state-backed nuclear companies
949 are directly lobbied by its top leaders, many U.S. nuclear
950 companies find it increasingly difficult to compete against
951 government-backed competitors motivated by political goals not
952 simply profit.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

953 That is why the bill before us today is so important. H.R.
954 6351, the Advancing U.S. Nuclear Civil -- I am sorry, U.S. Civil
955 Nuclear Competitiveness and Jobs Act will give our domestic
956 suppliers a fighting chance. It takes a small targeted and
957 bipartisan step forward. It will help modernize the regulatory
958 process governing the peaceful use of atomic energy to preserve
959 international leadership and assure that our U.S. nuclear supply
960 companies can compete in an increasingly competitive global
961 marketplace.

962 I would like to note this bill is a result, as I mentioned
963 earlier, of bipartisan discussions. It incorporates feedback
964 we received from our Democratic colleagues during the
965 subcommittee markup. Most notably, we heard members express
966 concern with the 30-day timeframe for Subsection 3(b), which
967 requires the Secretary of Energy to establish procedures to
968 approve or disapprove a Part 810 authorization following the
969 completion of the interagency review process.

970 In response to those concerns, the introduced bill provides
971 for a 45-day deadline and explicitly states such a timeframe
972 begins only after the Department of State receives necessary
973 foreign assurances, and after the interagency review process is
974 completed.

975 Importantly, this 45-day timeframe does not automatically
976 require the Secretary to issue an authorization, and the
977 information contained in the application must still meet all

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

978 necessary national security and nonproliferation requirements.
979 In effect, this 45-day timeline is for the very last phase of
980 the specific authorization review process and consists of
981 collecting and combining completed recommendations from internal
982 DOE stakeholders and the interagencies.

983 When Congress amended the Atomic Energy Act in 1954 to
984 provide for the commercial use of nuclear technology, the United
985 States was one of a few countries who had nuclear capacity, nuclear
986 energy capacity. Today the United States is no longer the only
987 game in town. This bill acknowledges that fact by building upon
988 the work that DOE has done to improve and reform the Part 810
989 process under the Obama administration, and the first reforms
990 enacted since 1986.

991 Mr. Chairman, as we have discussed in this committee
992 previously, the 810 process must function well for the U.S. to
993 remain competitive within this civil nuclear marketplace. This
994 bill is a step towards achieving that goal, and it is crucial
995 that we separate these commonsense policy reforms from politics.

996 I urge my colleagues to support this commonsense bipartisan bill.

997 And with that, I yield back.

998 The Chairman. The gentleman yields back the balance of his
999 time. For what purpose does the gentleman from New Jersey seek
1000 recognition?

1001 Mr. Pallone. Mr. Chairman, I have an amendment at the desk.

1002 The Chairman. The Clerk will report the amendment.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1003

[The Amendment offered by Mr. Pallone follows:]

1004

1005

*****COMMITTEE INSERT 8*****

1006 The Clerk. Amendment to H.R. 6351 offered by Mr. Pallone.
1007 The Chairman. Without objection, further reading of the
1008 amendment is dispensed with. The Clerk shall dispense --
1009 disperse the amendment and -- distribute the amendment, and the
1010 Chair recognizes the gentleman from New Jersey for 5 minutes to
1011 speak on his amendment.

1012 Mr. Pallone. Thank you, Mr. Chairman. My amendment
1013 strikes Section 3(b) of the bill, which establishes the 45-day
1014 time limit for the Secretary to approve the transfer of nuclear
1015 technologies to countries that are not nuclear weapon states.
1016 The amendment replaces Section 3(b) with a GAO study reviewing
1017 the Part 810 process and analyzing the national security
1018 implications of a 45-day time limit proposed in the bill.

1019 I sympathize with domestic nuclear manufacturers who desire
1020 more efficient Part 810 review process. However, I have concerns
1021 with placing a rigid timeline on the review process. It has
1022 become a pattern for committee Republicans to put forward
1023 legislation adding a shot clock to an important agency review
1024 process, whether the subject is natural gas pipeline reviews,
1025 hydropower licensee, or LNG export applications. And I think
1026 it is bad policy, and in this case I worry that hasty decisions
1027 could result in threats to our national security.

1028 This amendment retains the delegation authority in
1029 Section(a), which I still question, but I must also note that
1030 it is, in my opinion, ridiculous that we are marking up this bill

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1031 today while the majority already signed off on similar language
1032 being included in the National Defense Authorization Act
1033 Conference Report.

1034 We should have only considered this under regular order.

1035 The majority should have protected our jurisdiction and objected
1036 to Armed Services including language in NDAA, especially when
1037 the jurisdiction lies solely with this committee and the Foreign
1038 Affairs Committee.

1039 Furthermore, President Trump has abandoned the Iran deal,
1040 and now Saudi Arabia has said that if Iran restarts its nuclear
1041 program Saudi Arabia will itself pursue building nuclear weapons.

1042 I am just uncomfortable with expediting the review process for
1043 Part 810 at a time when there is so much global uncertainty on
1044 nuclear proliferation.

1045 So with that, unless someone wants my time, I -- oh, Mr.
1046 Engel, sure. I yield to Mr. Engel.

1047 Mr. Engel. I am going to keep my remarks brief because,
1048 as you can tell, I am losing my voice. The stated purpose of
1049 the legislation before us today is to modernize the Part 810
1050 regulations which control the flow of low proliferation risk
1051 nuclear reactor technologies to foreign countries.

1052 Department of Energy issued a final rule revising Part 810
1053 in February 2015, and then updated its Part 810 guidance in June
1054 2016. So this is not some regulatory relic of a bygone era.
1055 Nonetheless, we want this process to function well so that the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1056 U.S. remains competitive in the conventional nuclear space.

1057 Section 3 of the bill institutes an expedited approval
1058 process that would establish a 45-day time limit for the Secretary
1059 to approve the transfer of nuclear technologies to countries that
1060 are not nuclear weapon states.

1061 Excuse me. I am concerned about the need for, and the
1062 implications of, imposing a rigid timeline on the review process,
1063 because the issue -- this issue is too important to get wrong.

1064 So I fully support Mr. Pallone's amendment to have the GAO review
1065 the Part 810 process and analyze the national security implication
1066 of the 45-day time limit proposed by the bill.

1067 I yield back.

1068 Mr. Pallone. There is a minute. Does anybody want the
1069 time? Yeah, go ahead.

1070 Mr. McNerney. I thank the Chair and the Ranking Member for
1071 calling attention to H.R. 6351. There are 2 aspects of this bill
1072 that I want to talk about. First, increasing the processing time
1073 for license applications under Part 810; and, second, delegation
1074 of Secretary of Energy's authority for certain authorizations.

1075 Regarding the processing time, U.S. companies do need to
1076 be competitive to supply nuclear energy technologies around the
1077 world. Giving companies certainty about length of time is
1078 important. Further, the Secretary should not be required to give
1079 his personal signature for all parts of 810 actions, especially
1080 if these do not involve enrichment or reprocessing. These are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1081 good ideas. They are common sense.

1082 However, I have concerns over this administration's nuclear
1083 posture. This President's actions with Russia, its
1084 destabilization of the Middle East, and its red herring diplomacy
1085 for North Korea are most concerning. These actions do not give
1086 me confidence that this is an appropriate time to move forward
1087 with these measures.

1088 For that reason, I support the Pallone amendment, and I
1089 remain opposed to the underlying bill. I yield back.

1090 Mr. Pallone. And I yield back, Mr. Chairman.

1091 The Chairman. The gentleman yields back the balance of his
1092 time. The Chair recognizes himself to speak against the
1093 amendment.

1094 This amendment strikes Section 3(b) and requires the
1095 Comptroller General to submit a report to Congress on DOE's Part
1096 810 approval process. In 2014, at the request of then-Chairman
1097 Fred Upton, the Government Accountability Office studied DOE's
1098 Part 810 approval process and subsequently submitted a report
1099 titled "Additional Actions Needed to Improve Department of
1100 Energy's Export Control Process."

1101 The GAO stated, and I quote, "Encouraging U.S. exports of
1102 civilian nuclear products, services, and technology, while
1103 ensuring they are not used for foreign nuclear weapons programs,
1104 is a fundamental goal of U.S. policy." The GAO report found DOE
1105 "consistently missed its 300-day targets for initial and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1106 interagency stages of the Part 810 review process" and documented
1107 that 86 of 89 reviews exceeded the time to complete the review
1108 process.

1109 So partially in response to this report, the Department of
1110 Energy, under the leadership of Secretary Moniz, updated the Part
1111 810 authorization process and issued a final rule in March of
1112 2015. Now, that final rule included an update of technology in
1113 810.2, which Mr. Pallone's amendment would study if the list
1114 should be updated barely 3 years after the completion of the
1115 previous review.

1116 So, on July 10, 11 nonproliferation experts sent a letter
1117 to the Chairman and Ranking Member of the Armed Services Committee
1118 in support of delegating certain Part 810 authorizations.

1119 The signatures, which include several who previously were
1120 involved in the Part 810 licensee's decision, state, and I quote,
1121 "We do not think it is a good use of the Secretary of Energy's
1122 time to require his or her signature for every action under Part
1123 810. Requiring a secretarial signature for all Part 810 actions
1124 adds substantial time to the license application process with
1125 disproportionately little benefit. Permitting delegation of
1126 actions under Part 810 would allow the Secretary of Energy to
1127 focus his or her time on higher priority issues, would be a better
1128 use of the taxpayer resources, and would significantly reduce
1129 regulatory burden on the U.S. industry without sacrificing
1130 national security interests."

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1131 That, again, is from 11 nonproliferation experts.

1132 This issue does not need further study. We have the
1133 information, and we have the data, to advance this policy, and
1134 it is clear that our foreign adversaries are acting, not studying,
1135 how to dominate global nuclear energy markets.

1136 So I urge my colleagues to oppose the amendment.

1137 Are there any other members on our side seeking time? I
1138 can yield the remaining 2 minutes to Mr. Johnson of Ohio. Are
1139 you moving to --

1140 Mr. Johnson. Mr. Chairman, I move to strike the last word.

1141 The Chairman. No. I am yielding my 2 minutes to you, if
1142 you want to speak --

1143 Mr. Johnson. No, I am --

1144 The Chairman. -- on that. Okay. Otherwise, I will
1145 return the balance of my time and recognize --

1146 Mr. Rush. Mr. Chairman?

1147 The Chairman. -- the gentleman from Illinois --

1148 Mr. Rush. Mr. Chairman, I move to strike --

1149 The Chairman. -- for 5 minutes.

1150 Mr. Rush. Thank you, Mr. Chairman. Mr. Chairman, this
1151 amendment strikes the controversial expedited procedures section
1152 from the bill and inserts a GAO study that will evaluate the Part
1153 810 process, including whether putting a time limit on these
1154 reviews will jeopardize national security.

1155 I believe we need to study this issue, Mr. Chairman, in more

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1156 detail before we decide to give the Trump administration a more
1157 streamlined process any earlier where national security could
1158 be at risk. It appears that DOE can improve this process on its
1159 own, without congressional involvement.

1160 DOE testified at a legislative hearing on this bill that
1161 it has made numerous improvements to the process through its 810
1162 process improvement plan. Further, Mr. Chairman, DOE testified
1163 that, and I quote, "The lengthiest part of the authorization
1164 process remains the time it takes partner countries to provide
1165 the required governmental nonproliferation assurances, which can
1166 result in processing delays of 6 months to well over a year."

1167 So, Mr. Chairman, I am not opposed to making the 810 process
1168 more efficient, but I think we need to make sure that we have
1169 all the facts before we place a rigid review timeline in statute.

1170

1171 Mr. Chairman, I have some time remaining. If no one wants
1172 to use the time, then I yield back.

1173 The Chairman. The gentleman yields back. Are there
1174 members on the Republican side seeking recognition to speak on
1175 the amendment? The Chair recognizes the gentleman from Ohio,
1176 Mr. Johnson, for 5 minutes.

1177 Mr. Johnson. Mr. Chairman, I move to strike the last word.
1178 Before we wrap up discussion on this amendment and vote, I would
1179 like to ask for unanimous consent to submit the following letters
1180 of support for the record: a letter from the International

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1181 Brotherhood of Electrical Workers to members of the Energy and
1182 Commerce Committee in support of H.R. 6351, a letter from the
1183 president of the American Nuclear Society in support of the bill,
1184 a letter to Chairman Walden and Ranking Member Pallone supporting
1185 H.R. 6351 from ClearPath Action, a letter from Maria Korsnick,
1186 the CEO of the Nuclear Energy Institute, supporting the
1187 legislation, a letter from David Blee, president of the U.S.
1188 Nuclear Industry Council in support of H.R. 6351, and a letter
1189 to Chairman Walden and Ranking Member Pallone from Dr. Ashley
1190 Finan, the executive director of the Nuclear Innovation Alliance,
1191 in support of H.R. 6351. And unless anyone wishes --

1192 The Chairman. Without objection, they will be entered in
1193 the record.

1194 [The information follows:]

1195

1196 *****COMMITTEE INSERT 9*****

1197 The Chairman. The gentleman yields back the balance of his
1198 time.

1199 Are there other members seeking recognition? The Chair
1200 recognizes the gentleman from Pennsylvania, Mr. Doyle, for 5
1201 minutes to strike the last word.

1202 Mr. Doyle. Thank you, Mr. Chairman. I would like to speak
1203 in favor of this bill. I have heard from several companies in
1204 my district who are experiencing issues with the 810 process.

1205 Companies have had pending applications for over 400 days to
1206 export low-risk technologies like water pumps, waiting 400 days
1207 just to get permission to send interns overseas. The uncertainty
1208 in this process threatens American manufacturing jobs and
1209 America's ability to compete internationally.

1210 I want to thank Mr. Johnson for working with me to improve
1211 this commonsense legislation. This bill makes targeted and
1212 modest adjustments for exports of low-risk technology to low-risk
1213 countries. In the event that the Secretary determines that a
1214 technology poses a national security risk, or a foreign country's
1215 intent is hostile to the interest of the United States, that
1216 technology or country would not be eligible under this bill.

1217 This legislation makes reasonable minor and widely supported
1218 clarifications to the export process. By allowing agencies to
1219 conduct parallel processing of applications and giving the
1220 Secretary the option to delegate final approval for low-risk
1221 technology and reauthorizations, the U.S. will be able to provide

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1222 more certainty to companies seeking to export.

1223 Since the subcommittee hearing, we have extended the
1224 timeline from 30 to 45 days for the Secretary of DOE to give final
1225 signoff on an application. The bill also clarified that this
1226 timeline only starts at the end of the process, after the State
1227 Department has provided their foreign assurances and an
1228 interagency review has to occur -- has occurred to thoroughly
1229 vet the application.

1230 Further, the DOE vets any application before it even reaches
1231 the interagency phase. This will provide ample time for the DOE
1232 to come to a determination before that timeline even starts.

1233 This bill is widely supported by industry, labor, and energy
1234 groups. I have a letter of support signed by former
1235 administration officials who served under the Obama, Bush, and
1236 Clinton administrations, including a former chairman and
1237 commissioner of the NRC, former director of Oak Ridge and Pacific
1238 Northwest National Labs, former Deputy Secretary of Energy, and
1239 others. We also have a letter from the International Brotherhood
1240 of Electrical Workers outlining the importance of exports for
1241 manufacturing jobs.

1242 Third Way has also supported this bill, as has the American
1243 Nuclear Society, the Nuclear Energy Institute, and the Nuclear
1244 Innovation Alliance.

1245 Mr. Chairman, I ask unanimous consent to submit those letters
1246 of support for the record.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1247 The Chairman. Without objection.

1248 [The information follows:]

1249

1250 *****COMMITTEE INSERT 10*****

1251 Mr. Doyle. Now, I agree with my colleagues that national
1252 security is of the utmost concern, particularly under this current
1253 administration. It is for that reason that it is so important
1254 that the United States has a role in the international arena.

1255 If the U.S. is unable to export nuclear technology, that void
1256 instead will be filled by countries like Russia, who are not our
1257 ally.

1258 Nuclear reactors have a 100-year life span. That is 100
1259 years of engagement with American businesses and safe American
1260 technologies on the ground in other countries. The United States
1261 needs to be more engaged internationally, not less, if we are
1262 ever going to achieve our nuclear nonproliferation goals.

1263 If we lose our domestic supply chain and become dependent
1264 on foreign suppliers, then our domestic manufacturers will suffer
1265 and our national security will be worse off. This is a good bill,
1266 this is a commonsense bill, and I urge my colleagues to support
1267 it.

1268 I yield back.

1269 The Chairman. The gentleman yields back. Other members
1270 seeking recognition? Seeing none, the question now arises on
1271 the amendment.

1272 Those in favor, vote aye.

1273 Those opposed, no.

1274 The Clerk will call the roll.

1275 The Clerk. Mr. Barton.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1276 Mr. Barton. No.

1277 The Clerk. Mr. Barton votes no.

1278 Mr. Upton.

1279 Mr. Upton. No.

1280 The Clerk. Mr. Upton votes no.

1281 Mr. Shimkus.

1282 Mr. Shimkus. No.

1283 The Clerk. Mr. Shimkus votes no.

1284 Mr. Burgess.

1285 Mr. Burgess. No.

1286 The Clerk. Mr. Burgess votes no.

1287 Mrs. Blackburn.

1288 [No response.]

1289 Mr. Scalise.

1290 [No response.]

1291 Mr. Latta.

1292 Mr. Latta. No.

1293 The Clerk. Mr. Latta votes no.

1294 Mrs. McMorris Rodgers.

1295 Mrs. McMorris Rodgers. No.

1296 The Clerk. Mrs. McMorris Rodgers votes no.

1297 Mr. Harper.

1298 Mr. Harper. No.

1299 The Clerk. Mr. Harper votes no.

1300 Mr. Lance.

1301 [No response.]

1302 Mr. Guthrie.

1303 Mr. Guthrie. No.

1304 The Clerk. Mr. Guthrie votes no.

1305 Mr. Olson.

1306 Mr. Olson. No.

1307 The Clerk. Mr. Olson votes no.

1308 Mr. McKinley.

1309 Mr. McKinley. No.

1310 The Clerk. Mr. McKinley votes no.

1311 Mr. Kinzinger.

1312 Mr. Kinzinger. No.

1313 The Clerk. Mr. Kinzinger votes no.

1314 Mr. Griffith.

1315 Mr. Griffith. No.

1316 The Clerk. Mr. Griffith votes no.

1317 Mr. Bilirakis.

1318 Mr. Bilirakis. No.

1319 The Clerk. Mr. Bilirakis votes no.

1320 Mr. Johnson.

1321 Mr. Johnson. No.

1322 The Clerk. Mr. Johnson votes no.

1323 Mr. Long.

1324 Mr. Long. No.

1325 The Clerk. Mr. Long votes no.

1326 Mr. Bucshon.
1327 Mr. Bucshon. No.
1328 The Clerk. Mr. Bucshon votes no.
1329 Mr. Flores.
1330 Mr. Flores. No.
1331 The Clerk. Mr. Flores votes no.
1332 Mrs. Brooks.
1333 Mrs. Brooks. No.
1334 The Clerk. Mrs. Brooks votes no.
1335 Mr. Mullin.
1336 Mr. Mullin. No.
1337 The Clerk. Mr. Mullin votes no.
1338 Mr. Hudson.
1339 Mr. Hudson. No.
1340 The Clerk. Mr. Hudson votes no.
1341 Mr. Collins.
1342 Mr. Collins. No.
1343 The Clerk. Mr. Collins votes no.
1344 Mr. Cramer.
1345 Mr. Cramer. No.
1346 The Clerk. Mr. Cramer votes no.
1347 Mr. Walberg.
1348 Mr. Walberg. No.
1349 The Clerk. Mr. Walberg votes no.
1350 Mrs. Walters.

1351 Mrs. Walters. No.

1352 The Clerk. Mrs. Walters votes no.

1353 Mr. Costello.

1354 Mr. Costello. No.

1355 The Clerk. Mr. Costello votes no.

1356 Mr. Carter.

1357 Mr. Carter. No.

1358 The Clerk. Mr. Carter votes no.

1359 Mr. Duncan.

1360 [No response.]

1361 Mr. Pallone.

1362 Mr. Pallone. Aye.

1363 The Clerk. Mr. Pallone votes aye.

1364 Mr. Rush.

1365 Mr. Rush. Aye.

1366 The Clerk. Mr. Rush votes aye.

1367 Ms. Eshoo.

1368 Ms. Eshoo. Aye.

1369 The Clerk. Ms. Eshoo votes aye.

1370 Mr. Engel.

1371 Mr. Engel. Aye.

1372 The Clerk. Mr. Engel votes aye.

1373 Mr. Green.

1374 Mr. Green. No.

1375 The Clerk. Mr. Green votes no.

1376 Ms. DeGette.
1377 Ms. DeGette. Aye.
1378 The Clerk. Ms. DeGette votes aye.
1379 Mr. Doyle.
1380 Mr. Doyle. No.
1381 The Clerk. Mr. Doyle votes no.
1382 Ms. Schakowsky.
1383 Ms. Schakowsky. Aye.
1384 The Clerk. Ms. Schakowsky votes aye.
1385 Mr. Butterfield.
1386 [No response.]
1387 Ms. Matsui.
1388 Ms. Matsui. Aye.
1389 The Clerk. Ms. Matsui votes aye.
1390 Ms. Castor.
1391 [No response.]
1392 Mr. Sarbanes.
1393 Mr. Sarbanes. Aye.
1394 The Clerk. Mr. Sarbanes votes aye.
1395 Mr. McNerney.
1396 Mr. McNerney. Aye.
1397 The Clerk. Mr. McNerney votes aye.
1398 Mr. Welch.
1399 Mr. Welch. Aye.
1400 The Clerk. Mr. Welch votes aye.

1401 Mr. Lujan.
1402 Mr. Lujan. Aye.
1403 The Clerk. Mr. Lujan votes aye.
1404 Mr. Tonko.
1405 Mr. Tonko. Aye.
1406 The Clerk. Mr. Tonko votes aye.
1407 Ms. Clarke.
1408 Ms. Clarke. Aye.
1409 The Clerk. Ms. Clarke votes aye.
1410 Mr. Loeb sack.
1411 Mr. Loeb sack. Aye.
1412 The Clerk. Mr. Loeb sack votes aye.
1413 Mr. Schrader.
1414 Mr. Schrader. No.
1415 The Clerk. Mr. Shrad er votes no.
1416 Mr. Kennedy.
1417 Mr. Kennedy. Aye.
1418 The Clerk. Mr. Kennedy votes aye.
1419 Mr. Cardenas.
1420 [No response.]
1421 Mr. Ruiz.
1422 Mr. Ruiz. Aye.
1423 The Clerk. Mr. Ruiz votes aye.
1424 Mr. Peters.
1425 Mr. Peters. Aye.

1426 The Clerk. Mr. Peters votes aye.

1427 Ms. Dingell.

1428 Ms. Dingell. Aye.

1429 The Clerk. Ms. Dingell votes aye.

1430 Chairman Walden.

1431 The Chairman. No.

1432 The Clerk. Chairman Walden votes no.

1433 Mr. Lance.

1434 Mr. Lance. No.

1435 The Clerk. Mr. Lance votes no.

1436 The Chairman. Are there other members not recorded who wish

1437 to be recorded? Seeing none, the Clerk will report the tally.

1438 The Clerk. Mr. Chairman, on that vote there were 18 ayes

1439 and 31 noes.

1440 The Chairman. 18 ayes, 31 noes. The noes appear to have

1441 it. The noes have it. The amendment is not adopted.

1442 For what purpose does the gentleman from North Carolina seek

1443 recognition?

1444 Mr. Hudson. Mr. Chairman, I have an amendment at the desk.

1445 The Chairman. The clerk will report the amendment.

1446 [The Amendment offered by Mr. Hudson follows:]

1447

1448 *****COMMITTEE INSERT 11*****

1449 The Clerk. Amendment to H.R. 6351 offered by Mr. Hudson.

1450 The Chairman. Without objection, further reading of the
1451 amendment is dispensed with, and the Chair recognizes the
1452 gentleman from North Carolina to speak on his amendment.

1453 Mr. Hudson. Thank you, Chairman Walden, Ranking Member
1454 Pallone. My amendment prohibits the Secretary from delegating
1455 authorizations for activities in Russia and China. While we
1456 should be doing everything we can to ensure the United States
1457 maintains its competitive position on the global stage, when it
1458 comes to nuclear technology we must be diligent when working with
1459 countries who don't share our national interest.

1460 Russia and China have demonstrated a pattern of behavior
1461 that warrants a close skepticism for any interaction in respective
1462 civilian nuclear activities. My amendment simply excludes those
1463 2 countries from the ability for the Secretary to delegate the
1464 Part 810 authorization process. I urge my colleagues to support
1465 this amendment.

1466 And with that, Mr. Chairman, I am happy to yield to any of
1467 my colleagues. Seeing none, I will yield back.

1468 The Chairman. The gentleman yields back. Any other
1469 members seeking recognition on the amendment? Seeing none, the
1470 question now arises on approval of the Hudson amendment.

1471 Those in favor will say aye.

1472 Those opposed, no.

1473 The ayes appear to have it. The ayes have it, and the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1474 amendment is adopted.

1475 Are there other members seeking recognition to speak on the
1476 underlying bill? If not, the question now arises --

1477 Mr. Kinzinger. Mr. Chairman?

1478 The Chairman. So close. The gentleman from Illinois. For
1479 what purpose do you seek --

1480 Mr. Kinzinger. Move to strike the --

1481 The Chairman. -- recognition?

1482 Mr. Kinzinger. I move to strike the last word.

1483 The Chairman. Move to strike the last word, 5 minutes.

1484 Mr. Kinzinger. Thank you. Today we are discussing a bill
1485 that would take small steps to increase transparency and
1486 predictability for American companies that want to export
1487 commercial nuclear power. And as we have been discussing, and
1488 for those that don't know, American companies, what they are up
1489 against, many of our foreign competitors are state-run entities
1490 doing everything they can to get a leg up on international nuclear
1491 markets.

1492 What I wanted -- the reason I wanted to speak, I wanted to
1493 show this. I have got a children's book. It is called Nuclear
1494 ABCs, which is available at international climate conferences
1495 and was specifically intended for South African audiences.

1496 Westinghouse, along with companies from our ally countries,
1497 France and South Korea, submitted bids to build a new nuclear
1498 reactor in South Africa. This book tells the story of nuclear

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1499 power, how protons and neutrons bond and separate, and it takes
1500 the reader on a journey to the home of nuclear, which is Russia.

1501 The story tells children about the breathtaking
1502 characteristics of Russian nuclear power plants. And if you
1503 haven't guessed, this book was created and distributed by Russia's
1504 state-owned nuclear company to influence South African's
1505 decision. I also have a version right here in Vietnamese, if
1506 you are interested, too.

1507 We have got the technological superiority and the gold
1508 standard of safety. But if you think our businesses don't need
1509 a more transparent and predictable process when they are up
1510 against the propaganda aimed at children, then we have to be
1511 careful not to cede our global nuclear leadership to China and
1512 Russia.

1513 That is all I wanted to say, Mr. Chairman, and I will yield
1514 back.

1515 Mr. Griffith. Will the gentleman yield?

1516 Mr. Kinzinger. Yeah, I yield.

1517 Mr. Griffith. I appreciate the gentleman yielding to me.

1518 I would ask unanimous consent to submit a column titled "How
1519 Russia, China Use Nuclear Reactors to Win Global Influence."
1520 And it goes through many of the things we have already heard today
1521 from those who are proponents of the bill. And I would ask for
1522 that unanimous consent.

1523 The Chairman. Without objection.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1524

[The information follows:]

1525

1526

*****COMMITTEE INSERT 12*****

1527 The Chairman. Are there other members seeking recognition?

1528 The gentleman from Texas, Mr. Green, is recognized to strike
1529 the last word.

1530 Mr. Green. Thank you, Mr. Chairman. I know this is a
1531 weighty piece of legislation, but I would like to recognize some
1532 Boy Scouts, a number of them Eagle Scouts, from Post 707 in the
1533 back watching democracy today. If they would just stand up, so
1534 we could see --

1535 [Applause.]

1536 Mr. Green. And, Mr. Chairman, you told me you yourself were
1537 an Eagle Scout. Congratulations.

1538 The Chairman. Once an Eagle, always an Eagle.

1539 Mr. Green. Thank you.

1540 The Chairman. Thank you. And congratulations. We are
1541 glad to have you all here.

1542 So the question now arises on favorably reporting H.R. 6351,
1543 as amended, to the House.

1544 All those in favor will signify by saying aye.

1545 Those opposed, nay.

1546 And the Clerk will call the roll.

1547 The Clerk. Mr. Barton.

1548 Mr. Barton. Aye.

1549 The Clerk. Mr. Barton votes aye.

1550 Mr. Upton.

1551 Mr. Upton. Aye.

1552 The Clerk. Mr. Upton votes aye.
1553 Mr. Shimkus.
1554 Mr. Shimkus. Aye.
1555 The Clerk. Mr. Shimkus votes aye.
1556 Mr. Burgess.
1557 Mr. Burgess. Aye.
1558 The Clerk. Mr. Burgess votes aye.
1559 Mrs. Blackburn.
1560 [No response.]
1561 Mr. Scalise.
1562 [No response.]
1563 Mr. Latta.
1564 Mr. Latta. Aye.
1565 The Clerk. Mr. Latta votes aye.
1566 Mrs. McMorris Rodgers.
1567 Mrs. McMorris Rodgers. Aye.
1568 The Clerk. Mrs. McMorris Rodgers votes aye.
1569 Mr. Harper.
1570 [No response.]
1571 Mr. Lance.
1572 Mr. Lance. Aye.
1573 The Clerk. Mr. Lance votes aye.
1574 Mr. Guthrie.
1575 Mr. Guthrie. Aye.
1576 The Clerk. Mr. Guthrie votes aye.

1577 Mr. Olson.

1578 Mr. Olson. Aye.

1579 The Clerk. Mr. Olson votes aye.

1580 Mr. McKinley.

1581 Mr. McKinley. Aye.

1582 The Clerk. Mr. McKinley votes aye.

1583 Mr. Kinzinger.

1584 Mr. Kinzinger. Aye.

1585 The Clerk. Mr. Kinzinger votes aye.

1586 Mr. Griffith.

1587 Mr. Griffith. Aye.

1588 The Clerk. Mr. Griffith votes aye.

1589 Mr. Bilirakis.

1590 Mr. Bilirakis. Aye.

1591 The Clerk. Mr. Bilirakis votes aye.

1592 Mr. Johnson.

1593 Mr. Johnson. Aye.

1594 The Clerk. Mr. Johnson votes aye.

1595 Mr. Long.

1596 Mr. Long. Aye.

1597 The Clerk. Mr. Long votes aye.

1598 Mr. Bucshon.

1599 Mr. Bucshon. Aye.

1600 The Clerk. Mr. Bucshon votes aye.

1601 Mr. Flores.

1602 Mr. Flores. Aye.

1603 The Clerk. Mr. Flores votes aye.

1604 Mrs. Brooks.

1605 Mrs. Brooks. Aye.

1606 The Clerk. Mrs. Brooks votes aye.

1607 Mr. Mullin.

1608 Mr. Mullin. Aye.

1609 The Clerk. Mr. Mullin votes aye.

1610 Mr. Hudson.

1611 Mr. Hudson. Aye.

1612 The Clerk. Mr. Hudson votes aye.

1613 Mr. Collins.

1614 Mr. Collins. Aye.

1615 The Clerk. Mr. Collins votes aye.

1616 Mr. Cramer.

1617 Mr. Cramer. Aye.

1618 The Clerk. Mr. Cramer votes aye.

1619 Mr. Walberg.

1620 Mr. Walberg. Aye.

1621 The Clerk. Mr. Walberg votes aye.

1622 Mrs. Walters.

1623 Mrs. Walters. Aye.

1624 The Clerk. Mrs. Walters votes aye.

1625 Mr. Costello.

1626 Mr. Costello. Aye.

1627 The Clerk. Mr. Costello votes aye.
1628 Mr. Carter.
1629 Mr. Carter. Aye.
1630 The Clerk. Mr. Carter votes aye.
1631 Mr. Duncan.
1632 [No response.]
1633 Mr. Pallone.
1634 Mr. Pallone. No.
1635 The Clerk. Mr. Pallone votes no.
1636 Mr. Rush.
1637 Mr. Rush. No.
1638 The Clerk. Mr. Rush votes no.
1639 Ms. Eshoo.
1640 Ms. Eshoo. No.
1641 The Clerk. Ms. Eshoo votes no.
1642 Mr. Engel.
1643 [No response.]
1644 Mr. Green.
1645 Mr. Green. Aye.
1646 The Clerk. Mr. Green votes aye.
1647 Ms. DeGette.
1648 Ms. DeGette. No.
1649 The Clerk. Ms. DeGette votes no.
1650 Mr. Doyle.
1651 Mr. Doyle. Yes.

1652 The Clerk. Mr. Doyle votes aye.
1653 Ms. Schakowsky.
1654 [No response.]
1655 Mr. Butterfield.
1656 [No response.]
1657 Ms. Matsui.
1658 Ms. Matsui. No.
1659 The Clerk. Ms. Matsui votes no.
1660 Ms. Castor.
1661 [No response.]
1662 Mr. Sarbanes.
1663 Mr. Sarbanes. No.
1664 The Clerk. Mr. Sarbanes votes no.
1665 Mr. McNerney.
1666 Mr. McNerney. No.
1667 The Clerk. Mr. McNerney votes no.
1668 Mr. Welch.
1669 Mr. Welch. No.
1670 The Clerk. Mr. Welch votes no.
1671 Mr. Lujan.
1672 Mr. Lujan. No.
1673 The Clerk. Mr. Lujan votes no.
1674 Mr. Tonko.
1675 Mr. Tonko. No.
1676 The Clerk. Mr. Tonko votes no.

1677 Ms. Clarke.
1678 Ms. Clarke. No.
1679 The Clerk. Ms. Clarke votes no.
1680 Mr. Loeb sack.
1681 Mr. Loeb sack. No.
1682 The Clerk. Mr. Loeb sack votes no.
1683 Mr. Schrader.
1684 Mr. Schrader. Yes.
1685 The Clerk. Mr. Shrad er votes aye.
1686 Mr. Kennedy.
1687 Mr. Kennedy. No.
1688 The Clerk. Mr. Kennedy votes no.
1689 Mr. Cardenas.
1690 [No response.]
1691 Mr. Ruiz.
1692 Mr. Ruiz. Yes.
1693 The Clerk. Mr. Ruiz votes aye.
1694 Mr. Peters.
1695 Mr. Peters. Aye.
1696 The Clerk. Mr. Peters votes aye.
1697 Ms. Dingell.
1698 Ms. Dingell. No.
1699 The Clerk. Ms. Dingell votes no.
1700 Chairman Walden.
1701 The Chairman. Aye.

1702 The Clerk. Chairman Walden votes aye.

1703 Mr. Harper.

1704 Mr. Harper. Aye.

1705 The Clerk. Mr. Harper votes aye.

1706 The Chairman. Mr. Engel?

1707 The Clerk. Mr. Engel.

1708 Mr. Engel. No.

1709 The Clerk. Mr. Engel votes no.

1710 Ms. Schakowsky.

1711 Ms. Schakowsky. No.

1712 The Clerk. Ms. Schakowsky votes no.

1713 The Chairman. Are there other members not recorded who wish
1714 to be recorded on final passage? Seeing none, the Clerk will
1715 report the tally.

1716 The Clerk. Mr. Chairman, on that vote there were 33 ayes
1717 and 16 nays.

1718 The Chairman. 33 ayes, 16 nays. The bill, as amended, is
1719 favorably reported to the House. Without objection, the staff
1720 is authorized to make technical and conforming changes to the
1721 legislation considered by the committee today. So ordered.

1722 I want to thank everybody for their good work on these bills,
1723 and we stand adjourned.

1724 [Whereupon, at 2:23 p.m., the committee was adjourned.]

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701