

Opening Statement
Ranking Member Ralph Hall (R-TX)

Full Committee Markup:

- H.R. 3650, Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2009
- H.R. 3585, Solar Technology Roadmap Act
- H.R. 3598, Energy and Water Research Integration Act

October 7, 2009

Thank you Mr. Chairman. Today we are marking up H.R. 3650, the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2009, H.R. 3585, the Solar Technology Roadmap Act, and H.R. 3598, the Energy and Water Research Integration Act.

I would like to thank the Chairman and his staff for working with the minority on these bills and addressing, as much as possible, our concerns with them. Unfortunately, we were not able to come to agreement on all of our concerns, but I realize that that cannot always be the case. I will elaborate on these when the bills are brought up for amendment.

We will have amendments that address those areas of the bills that we feel still need attention – in particular in the Solar and the Energy and Water bill. I do hope that the Chairman and the other Members of the committee will give our amendments thoughtful consideration as we feel they are intended to improve the bills and enhance support for them.

Hall Statement on Harmful Algal Blooms Bill

Thank you, Mr. Chairman. First, I would like to commend my colleagues Dr. Ehlers and Mr. Baird on working together to move this bill. They worked very well together to move this important piece of legislation, so much so that the bill itself, and the manager's amendments at both Subcommittee and now Full Committee have been bipartisan. While most of the issues have been worked out beforehand, there are still a few outstanding items.

Although this bill is intended to address a problem that affects nearly every state, we want to make sure that the regional research and action plans that are called for are not a top-down mandate, but a true collaboration between the Federal government and the States and local areas that have been directly affected by these blooms. The bill calls for the development and implementation of these plans; the next obvious step is putting these plans into action. We want to make sure that we are not imposing ~~any~~ undue burdens on States that they would not voluntarily take on themselves. Finally, we want to make sure that all the groups involved in the development of these plans that will have roles in future implementation are ones with the highest level of integrity.

I will be offering an amendment to this bill that addresses our concerns with States rights. Several of my colleagues on this side of the aisle will be offering other amendments that address some of these remaining concerns.

With that I yield back the balance of my time.

Hall Statement on Solar Bill

Thank you Mr. Chairman, and thank you Representative Giffords for working with us on your bill. While we are certainly supportive of solar energy and see the great potential that it has to be a contributor of energy to our constituents, we do have some concerns with the large authorization in the bill and the requirement of funds to be directed to the roadmap recommendations.

First, the bill authorizes \$2.25 billion over five years. This is a lot of money, and one wonders if the money would be better spent in the form of investment tax credits for solar energy or long-term incentives to develop renewable energy in general.

Second, the bill directs the Secretary to spend a minimum increasing amount with no maximum limit of the authorization on the RD&D set forth by the Roadmap Committee -- at least one third of which is made up of industry -- who are explicitly exempted from the Federal Advisory Committee Act, which is intended to provide an open and transparent process. The optics of this are that you now have a Committee, whose membership could be primarily industry, telling the DOE where to direct taxpayer money into RD&D that could benefit their companies while not having to answer to anyone or defend their recommendations. I am sure that this is not what Ms. Giffords intends or wants to happen, but there is nothing in the legislation as written that would prevent it from happening. We do appreciate the inclusion, at our suggestion, of language dealing with potential conflicts of interest in regard to Roadmap Committee membership.

Hall Statement on Energy-Water Bill

Thank you Mr. Chairman. We agree with you that the energy/water nexus is an important issue that needs to be taken into consideration, and addressed by the DOE and other relevant agencies, and we believe that your bill is a good starting point. However, there are certain parts of your bill that we find to be potentially overly burdensome to the DOE and could do more harm than good. In particular, the bill, as it is currently written, and as it is written in the manager's amendment, would place an additional energy/water requirement on every energy research, development, and demonstration program and project of the Department of Energy. This could include the gamut of programs from Fossil Energy to ARPA-E to EERE to name just a few. We remain concerned that moving forward with such requirements prior to gathering the proper background data and information, such as a comprehensive assessment of which programs and projects will be affected, may lead to negative unintended consequences. We suggested language that would give the Secretary discretion as to which programs and projects would be affected, but that was, unfortunately, not accepted.

As well, we feel that the council is unnecessary as it is duplicative of other groups currently in existence. The worst possible scenario is us setting up a situation in which we have different groups developing parallel standards and data collection methods for the energy-water nexus that may be very difficult to combine. Such a task would involve some level of data manipulation, which could very well lead to a loss of scientific integrity of the findings. Mr. Chairman, we have worked very hard in this committee to avoid duplicative efforts just like this. I believe streamlining and organization was one of the main motivations for the National Water Research and Development Initiative Act that was passed on the House floor earlier this year.

We will have other amendments from our side that we hope you will consider and accept as an improvement to your bill.