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Committee on Environment
and Public Works

Washington, D.C.

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BUSINESS MEETING

Wednesday, August 1, 2018

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 9:52 a.m. in room 406, Dirksen Senate Office Building, the Honorable John Barrasso [chairman of the committee] presiding.

Present: Senators Barrasso, Carper, Inhofe, Capito, Boozman, Wicker, Fischer, Moran, Rounds, Ernst, Sullivan, Cardin, Whitehouse, Merkley, Gillibrand, Booker, Markey, and Van Hollen.

STATEMENT OF THE HONORABLE JOHN BARRASSO, A UNITED STATES
SENATOR FROM THE STATE OF WYOMING

Senator Barrasso. I would like to bring this meeting to order. I want to inform the audience that this is a formal Senate business meeting, followed by a hearing. In order to allow the committee to conduct its business, we will maintain decorum. That means if there is any disorder or demonstration by a member of the audience, the person causing the disruption will be escorted from the room by the Capitol Police, who are currently in the room.

This morning, I call this business meeting to order. Today we will be considering four nominees. President Trump has nominated Mary Bridget Neumayr to be a Member of the Council on Environmental Quality, whom he will designate as Chair upon confirmation; William "Chad" McIntosh to lead the EPA's Office of International and Tribal Affairs; Peter Wright to lead the EPA's Office of Land and Emergency Management; and John Fleming to lead the Economic Development Administration as Assistant Secretary of Commerce for Economic Development. These nominees are all well qualified and will bring a wealth of experience and expertise to their jobs.

This confirmation will fill critically important roles in ensuring that all Americans benefit from clean air, clean water, clean land and a growing economy. I urge all my colleagues to

support the nominations.

We will also consider two bills to name Federal courthouses. H.R. 5772, to name a Federal courthouse in Amarillo, Texas, after Mary Lou Robinson, who served as a judge in Texas, and on the U.S. District Court in the Northern District of Texas. And S. 3021, to name a Federal courthouse in Minneapolis, Minnesota, after Diana Murphy, the first woman appointed to the bench of the U.S. Circuit Court of Appeals for the Eighth Circuit.

The committee will also consider six resolutions to approve prospectus providing General Service Administration leases. The leases will provide office space for the Federal Bureau of Investigation, the Internal Revenue Service, the Social Security Administration and other agencies.

After Ranking Member Carper gives his statement, other members may make remarks. At 10:15, we will proceed to the items in our agenda, provided we have a reporting quorum. After we have completed the business portion of the meeting, we will immediately begin the hearing with EPA Acting Andrew Wheeler on Examining EPA's Agenda, Protecting the Environment and Allowing America's Economy to Grow.

I will now turn to the Ranking Member for his statement. Senator Carper.

[The prepared statement of Senator Barrasso follows:]

STATEMENT OF THE HONORABLE THOMAS CARPER, A UNITED STATES
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Thank you, Mr. Chairman. Good morning, one and all. I want to thank you for holding this business meeting today. It is going to be kind of a convoluted today for us, at least this morning is going to be busy. We will need the help of everybody, including the audience, to make sure we get through this.

We have a relatively brief but important agenda. Once we complete the markup, we look forward to hearing from the Acting Administrator of EPA, Andrew Wheeler.

Today we are considering six GSA prospectuses. Some of them are very time-sensitive, which is why we have agreed to proceed. However, GSA still has not answered our questions about the status of the FBI headquarters, which is very important to some of our colleagues, or provided complete responses to requests for information on the Trump hotel lease. I continue to urge GSA to work with our committee as we fulfill our oversight responsibilities.

We also have two courthouse naming bills before us today, which comply with our committee's rules. They are not controversial.

We are also considering a number of nominations. The first nominee we are voting on today is Mary Neumayr, who has been

nominated to lead the Council on Environmental Quality.

Compared to the last Trump CEQ chair nominee, Ms. Neumayr is a welcome improvement. However, to be honest with everybody, while I was encouraged, maybe you were too, very encouraged by many of her answers during the hearing last month, I am troubled by a number of her answers to our questions for the record in the days following that hearing, creating some reservations about supporting her nomination today.

I will just give you a couple quick answers. Ms. Neumayr, under her leadership CEQ has signaled an intent to consider significant revisions to the way the National Environmental Policy Act, NEPA, operates. From her answers to questions from the record, it is unclear whether such revisions will provide or prioritize environmental protection, as is the requirement under current law, or if there will be a rigorous public comment process before any changes are made.

As I stated in a letter to Ms. Neumayr just last month, the risk of limiting public involvement is particularly concerning, given the fact that the very intent of NEPA is to ensure that the Federal Government hears from the public. In addition, Ms. Neumayr refused to support the reinstatement of tools that help American communities become more resilient to extreme weather and climate changes. Without extra planning and targeted investments, I know we will continue to lose lives, livelihood,

and taxpayer dollars.

For those reasons, I will refrain from supporting her nomination at this time, although I hope we can have some further discussion to come to some resolution on some of the issues I have mentioned and perhaps a couple of other important issues in the weeks to come.

The second nomination we are considering today is Chad McIntosh to lead EPA's Office of International and Tribal Government Affairs. This position serves as a liaison between international and tribal communities and the EPA. American Indian and Alaska Native communities across the U.S. face unique challenges, as we know, in many of the States represented right here on our committee. I am concerned that Mr. McIntosh has had minimal interactions with tribal communities and limited international experience.

Next, a couple of words about Peter Wright, who has been nominated to serve as EPA Assistant Administrator leading the Office of Land and Emergency Management. The Office is responsible, as you know, for helping States manage our Nation's waste, clean up contaminated sites, and respond to national and environmental disasters.

Mr. Wright has spent much of his career at Dow, where he worked on the company's Superfund sites. As I noted during his confirmation hearing, Mr. Wright agreed to recuse himself from

working on any sites for which Dow Dupont may have liability. And I commended him at that time for doing so.

However, his recusals were all contingent upon Senate confirmation. And since his hearing in June, Mr. Wright has joined EPA as a special counsel. It is unclear what, if any, recusal or ethics agreement he is currently abiding by. This fact, along with many troubling responses to the questions, again, I am troubled by what we hear at the hearing and then read in the responses to the questions. They just don't line up. They just don't line up in too many instances, including in this instance.

And we need to sort that out. What do we believe? What we hear with our own ears? What we hear in our meetings? Or what we hear in the responses to our questions for the record?

But we note that, along with other members of the committee, I have sent letters to Mr. Wright and Mr. McIntosh, asking them for additional information, and they have yet to respond. I also note that of the 60 oversight letters that members of this committee have sent to EPA, 60, we have still received complete answers to only 24. We did get one last week. And we are encouraged by that. But there's about 35 more that we haven't.

The final nominee we are considering today is Dr. John Fleming to guide the Economic Development Administration. I am

just going to call an audible here. My staff, being real honest with you, Mr. Chairman, my staff introduced us, I thought no on this nomination. I am going to vote yes to report him out. And on one hand, here's a fellow, in the House of Representatives voted not once but twice to basically get rid of the Economic Development Administration. He's been nominated to head up an organization, EDA, which the current Administration has proposed to de-fund and to eliminate. De-fund twice, and to eliminate it in a reorganization plan.

Now, I may be mistaken about the reorganization plan, but I know that it was proposed twice in Budget to de-fund the organization. And we heard Dr. Fleming say here, I voted the way I did, I was maybe not well informed, and I'm not interested in getting rid of the EDA, after he's been nominated to head. But if you look at the responses to our QFRs, questions for the record, it is not all that clear. He clearly supports the President's budget, which calls for zeroing out funding for this organization that he is going to be confirmed to head. That just causes me some trouble.

Every now and then we have a chance to, however, to vote our hopes over our fears. And today I'm going to vote my hopes over my fears. But if we don't get some real clarification on this issue, I won't be voting this way when this nomination comes before the full Senate.

So I'm glad we're all here, I look forward to a productive day. Thank you.

[The prepared statement of Senator Carper follows:]

Senator Barrasso. Thank you very much, Senator Carper. I want to tell you that I absolutely agree with members of this committee that we do deserve timely responses to the questions that you've raised, and that Senator Cardin has been providing significant leadership in making sure we get these answers regarding the FBI headquarters project.

Last night, finally, GSA submitted to the committee their answers to the questions for the record, way beyond the time they were due. I still haven't had a chance to review them, just got these last night, because I knew we were hearing today, and they'd be hearing from us. We are still waiting on responses from the FBI.

Accordingly, I have sent a letter to the FBI requesting expedited delivery of these past-due answers to the members' questions. And Senator Cardin, I would like to call on you.

Senator Cardin. Thank you, Mr. Chairman. I very much appreciate your leadership on the FBI issue.

I point out that we do have an FBI lease that is on the agenda today from GSA, which I intend to support. The FBI needs additional leased space. Part of that reason is the inadequacy of the FBI facility in Washington.

I just really want to follow up. We had, I thought, a very informative hearing on this issue. There were some conclusions that were reached at that hearing, one, there was acknowledgment

of the extreme waste of government funds in the process that has been used. No one disputes that, hundreds of millions have been wasted in the process that has been used. Secondly, there is no question that the FBI needs additional space, and more modern space. That is absolutely without question.

Third, there is no dispute that the security needs that the FBI wants, the level of security that they want, cannot be achieved at the D.C. location. That is the reason why, many years ago, we started with finding a new location, a suburban location. Sites were selected in Virginia and Maryland. And we went almost to the finish line on selection before the Administration withdrew the prospectus and the proposals.

Not only did the government waste a lot of money, but contractors who were operating in good faith lost tens of millions of dollars.

We had the hearing, Mr. Chairman, and I appreciate that very much. Reports this week confirm that the President himself has been involved in this decision. I say that with two concerns in mind. First, during our hearing, that was denied by the witnesses. And yet, we know now that the President has a direct interest in this facility. It has been confirmed by a press report that he informed members of the United States Senate of his interest in the downtown location. And again, that was denied in the hearing before us.

Secondly, the President's concerns have been specifically expressed that he doesn't like the way the building looks, and is clearly more concerned about the appearance of the building than the usefulness of the building from the point of view of the FBI's mission. That's also clear by the press accounts that have been given of late.

So I say all that, recognizing of course that the President has multiple interests on what is happening on Pennsylvania Avenue, and recognizing full well that at that hearing, they promised us a prospectus which we have not seen on the FBI. The appropriators have taken action so far to deny the funding of the FBI, which, additional funding, which as you know, we provided significant funding for the suburban locations, and have raised questions that they are not going to go forward unless they understand the plan and that can meet certain minimum conditions.

I think the appropriators are doing the right thing, Mr. Chairman. I won't disagree with what the appropriators are doing. But it is our committee's jurisdiction to approve the prospectus, to make sure that we are in agreement as to what is being done. We are talking about multi-billion dollar renovation here, or construction. Multi-billion dollars. Could be the largest single construction that any of us will ever vote on in the United States Senate.

So I had suggested to the Chairman that I think if we don't get something soon from the GSA that our committee has a responsibility to act, that we should consider a resolution spelling out what we desire to happen. That has been done in the past. I know we just got the answers, I have not seen those answers, but you just informed us we just got the answers that were long overdue.

But it is this committee's jurisdiction. I think all of us want the FBI to have the facilities that they need and want the taxpayers to get the value for the funds that are being invested. That is our responsibility. I would just urge us to take the responsibilities of our committee in a timely way, so that we can influence decisions that are being made.

Senator Barrasso. Thank you. Senator Whitehouse?

Senator Whitehouse. Thank you, Chairman. I just want to say a few words about Ms. Neumayr and Mr. Fleming, who we will be voting on today. I am going to be voting against Ms. Neumayr because a number of us have a letter in to her, asking for clarification on some of the, I thought, very unfortunate answers she gave in her QFR responses. I don't know if she actually wrote those, or if there is some kind of White House politburo that writes those for her and she is stuck with it. But I need to push a little harder to see that her answers in writing are consistent with what I felt her answers were, both

in our private meeting and here at the committee.

So I want to get to yes, but I feel if I vote yes on her now, the likelihood of getting serious answers to the letter diminish. So I will be voting no in the hopes of getting to yes.

With respect to Mr. Fleming, like the Ranking Member, he has given very positive assurances about how importantly he views EDA, how importantly he views its programs, how importantly he views the coastal work that EDA needs to do, how fairly he says he will treat climate change, sea level rise projects, not be categorical or ideological about not taking them seriously. So I'm a close vote on Mr. Fleming, given his past record of voting to eliminate the agency he would now lead.

But I would note that we had Representative Bridenstein go over to NASA and he had been a real antagonist to both science and to NASA. As soon as he got over there, he suddenly was actually a bit, he had had some revelations, including that climate change is actually real and that humans and our emissions are causing it and all that. I think he probably discovered that NASA is a scientist's organization and if you are going to say things that are scientifically preposterous, it is very hard to lead.

So I am hoping for a similar series of epiphanies from Mr. Fleming. Again, I reserve the right to vote no on the Floor.

But I intend to vote yes for him today. And I appreciate the Chair allowing me to make those comments about what are very close votes.

Senator Barrasso. Thank you, Senator Whitehouse.

Senator Van Hollen?

Senator Van Hollen. Thank you, Mr. Chairman. I just wanted to second the comments of my friend and colleague from Maryland, Senator Cardin, with respect to the FBI building. I want to thank you and the Ranking Member for having what I thought was a very informative hearing a number of months back, where I think we got a lot of revealing information.

I think folks here know that for over 10 years there had been a plan, as Senator Cardin said, to move the FBI to a more secure location. Just as we have sort of campus settings for the CIA, for the NSA, for security reasons, there had been a plan to find a more secure location for the FBI. GAO reports backed up the need to find a more secure location. And then all of a sudden we had a change in plan.

And I gather we just got the QFRs from that hearing. I have not had a chance to look them over. But I do hope this committee will take a close look at that original GAO report and the original intent behind Congress, where there had been numerous appropriations actually provided for the more secure location.

I think as you know, Mr. Chairman, we had some testimony that day where the witnesses at least on the record said that there had not been sort of close contact between GSA and FBI and either the President or senior White House officials. After the hearing was over, they had to send you a correction for the record. As Senator Cardin said, the reports yesterday just confirm the intimate involvement of the White House in this decision, a decision I think we all agree should be based on the merits, not on whim.

So I want to thank you and Senator Cardin for raising that.

Senator Barrasso. Yes, Senator Markley.

Senator Markley. Thank you, Mr. Chairman, very much. I would just like to make a couple of brief comments on two of the nominees before us today. First, on Peter Wright, he is Dow's self-proclaimed dioxin lawyer, to take charge of the Superfund program at the Environmental Protection Agency. It would be a clear violation of the public trust. Mr. Wright has openly questioned the science behind dangerous toxics that cause cancer and other illnesses. At the EPA, he would face dozens of conflicts of interest overseeing the work of the chemical industry.

Mr. Wright is the classic fox guarding the hen house. Mr. Wright should not be confirmed by the Senate to lead these programs at the EPA.

Second, I would like to voice my concern over the nomination of Mary Neumayr to lead the Council on Environmental Quality. Her focus on the streamlining, or as I call it, the steamrolling, of the National Environmental Policy Act is deeply unfortunate. We need a head of the CEQ that will advise the President on climate science and how to better include environmental review and infrastructure, not someone who is advising on how to dismantle environmental review.

I urge this committee not to confirm Ms. Neumayr. Thank you, Mr. Chairman.

Senator Barrasso. Thank you. We are waiting for one final member to arrive. Does anyone else have any comments they would like to make regarding any of these nominations?

If not, let me move to some of the parts of this committee that do not require roll call votes, and we would like to move to the votes on the items on today's agenda. The Ranking Member and I have agreed to vote on the two courthouse naming bills and the six GSA resolutions en bloc by voice vote. But members may choose to have their votes recorded for a specific item in that en bloc after the voice vote.

The Ranking Member and I have agreed to bring up the four nominees for separate votes. And the Ranking Member has requested that each of these nominees receive a roll call vote.

So to begin, I would like to call up H.R. 5772, a bill

naming a Federal courthouse in Amarillo, Texas; S. 3021, a bill naming a Federal courthouse in Minneapolis, Minnesota; and six General Service Services Administration resolutions, en bloc.

I move to approve and report H.R. 5772 and S. 3021 favorably to the Senate, and approve six GSA Resolutions en bloc. Is there a second?

Senator Carper. I second.

Senator Barrasso. All those in favor, please say aye.

[Chorus of ayes.]

Senator Barrasso. All those opposed, please say no.

[No audible response.]

Senator Barrasso. In the opinion of the Chair, the ayes have it. We have approved H.R. 5772 and S. 3021, which will be reported favorably to the Senate. We also have approved six GSA resolutions.

Waiting for one more member to attend, and we will hold off a few seconds until that member arrives. He is in en route and should be here momentarily.

[Pause.]

Senator Barrasso. Next I would like to call up Presidential Nomination 2136, Mary Bridget Neumayr, of Virginia, to be a member of the Council on Environmental Quality. I move to approve and report the nomination favorably to the Senate. Is there a second?

Senator Inhofe. Second.

Senator Barrasso. The Clerk will please call the roll.

The Clerk. Mr. Booker?

Senator Booker. No.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mrs. Capito?

Senator Capito. Yes.

The Clerk. Mr. Cardin?

Senator Cardin. No.

The Clerk. Mr. Carper?

Senator Carper. No.

The Clerk. Mrs. Duckworth?

Senator Carper. No by proxy.

The Clerk. Mrs. Ernst?

Senator Ernst. Yes.

The Clerk. Mrs. Fischer?

Senator Fischer. Yes.

The Clerk. Mrs. Gillibrand?

Senator Gillibrand. No.

The Clerk. Mr. Inhofe?

Senator Inhofe. Aye.

The Clerk. Mr. Markey?

Senator Markey. No.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Moran?

Senator Moran. Aye.

The Clerk. Mr. Rounds?

Senator Rounds. Aye.

The Clerk. Mr. Sanders?

Senator Carper. No by proxy.

The Clerk. Mr. Shelby?

Senator Shelby. Aye.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Van Hollen?

Senator Van Hollen. No.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Mr. Chairman?

Senator Barrasso. Aye. The Clerk will report.

The Clerk. Mr. Chairman, the yeas are 11, the nays are 10.

Senator Barrasso. We have approved the nomination of Ms. Neumayr to be a member of the Council on Environmental Quality, which will be reported to the full Senate for approval.

I would now like to call up the nomination of Presidential Nomination 1766, William Charles McIntosh of Michigan, to be Assistant Administrator for the Office of International and Tribal Affairs of the Environmental Protection Agency. I move to approve and report the nomination favorably to the Senate. Is there a second?

Senator Inhofe. Second.

Senator Barrasso. The Clerk will call the roll.

The Clerk. Mr. Booker?

Senator Booker. No.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mrs. Capito?

Senator Capito. Yes.

The Clerk. Mr. Cardin?

Senator Cardin. No.

The Clerk. Mr. Carper?

Senator Carper. No.

The Clerk. Mrs. Duckworth?

Senator Carper. No by proxy.

The Clerk. Mrs. Ernst?

Senator Ernst. Yes.

The Clerk. Mrs. Fischer?

Senator Fischer. Yes.

The Clerk. Mrs. Gillibrand?

Senator Gillibrand. No.

The Clerk. Mr. Inhofe?

Senator Inhofe. Aye.

The Clerk. Mr. Markey?

Senator Markey. No.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Moran?

Senator Moran. Aye.

The Clerk. Mr. Rounds?

Senator Rounds. Aye.

The Clerk. Mr. Sanders?

Senator Carper. No by proxy.

The Clerk. Mr. Shelby?

Senator Shelby. Aye.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Van Hollen?

Senator Van Hollen. No.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Mr. Chairman?

Senator Barrasso. Aye. The Clerk will report.

The Clerk. Mr. Chairman, the yeas are 11, the nays are 10.

Senator Barrasso. We have approved the nomination of Mr. McIntosh to be an Assistant Administrator of the Environmental Protection Agency, which will be reported to the full Senate for approval.

I would now like to call up Presidential nomination 1681, Peter Wright of Michigan to be Assistant Administrator for the Office of Land and Emergency Management of the Environmental Protection Agency. I move to approve and report the nomination favorably to the Senate. Is there a second?

Senator Inhofe. Second.

Senator Barrasso. The Clerk will call the roll.

The Clerk. Mr. Booker?

Senator Booker. No.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mrs. Capito?

Senator Capito. Yes.

The Clerk. Mr. Cardin?

Senator Cardin. No.

The Clerk. Mr. Carper?

Senator Carper. No.

The Clerk. Mrs. Duckworth?

Senator Carper. No by proxy.

The Clerk. Mrs. Ernst?

Senator Ernst. Yes.

The Clerk. Mrs. Fischer?

Senator Fischer. Aye.

The Clerk. Mrs. Gillibrand?

Senator Gillibrand. No.

The Clerk. Mr. Inhofe?

Senator Inhofe. Aye.

The Clerk. Mr. Markey?

Senator Markey. No.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Moran?

Senator Moran. Aye.

The Clerk. Mr. Rounds?

Senator Rounds. Aye.

The Clerk. Mr. Sanders?

Senator Carper. No by proxy.

The Clerk. Mr. Shelby?

Senator Shelby. Aye.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Van Hollen?

Senator Van Hollen. No.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Mr. Chairman?

Senator Barrasso. Aye. The Clerk will report.

The Clerk. Mr. Chairman, the yeas are 11, the nays are 10.

Senator Barrasso. We have approved the nomination of Mr. Wright to be an Assistant Administrator of the Environmental Protection Agency, which will be reported to the full Senate for approval.

Now I would like to call up the nomination, Presidential Nomination 2171, John Fleming of Louisiana, to be Assistant Secretary of Commerce for economic development. I move to approve and report the nomination favorably to the Senate. Is there a second?

Senator Inhofe. Second.

Senator Barrasso. The Clerk will call the roll.

The Clerk. Mr. Booker?

Senator Booker. No.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mrs. Capito?

Senator Capito. Yes.

The Clerk. Mr. Cardin?

Senator Cardin. Aye.

The Clerk. Mr. Carper?

Senator Carper. Aye.

The Clerk. Mrs. Duckworth?

Senator Carper. Aye by proxy.

The Clerk. Mrs. Ernst?

Senator Ernst. Yes.

The Clerk. Mrs. Fischer?

Senator Fischer. Yes.

The Clerk. Mrs. Gillibrand?

Senator Gillibrand. No.

The Clerk. Mr. Inhofe?

Senator Inhofe. Aye.

The Clerk. Mr. Markey?

Senator Markey. No.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Moran?

Senator Moran. Aye.

The Clerk. Mr. Rounds?

Senator Rounds. Aye.

The Clerk. Mr. Sanders?

Senator Carper. No by proxy.

The Clerk. Mr. Shelby?

Senator Shelby. Aye.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Van Hollen?

Senator Van Hollen. No.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. Aye.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Mr. Chairman?

Senator Barrasso. Aye. The Clerk will report.

The Clerk. Mr. Chairman, the yeas are 15, the nays are 6.

Senator Barrasso. We have approved the nomination of Dr. John Fleming to be an Assistant Secretary of Commerce, which will be reported to the full Senate for approval.

The voting part of our business meeting is concluded.

Senator Carper. Mr. Chairman, could I just make a brief comment?

Senator Barrasso. Senator Carper.

Senator Carper. There is a pattern here in terms of our votes. I think a number of us, not all, but a number of folks

on our side voted no on several of these nominations. Because what we heard here and what we heard in our private meetings with these nominees did not line up with what we read in the QFRs.

We need some clarification and we look forward to getting that clarification. If we get it, then I think we will be able to move forward. If we don't, it will make things more difficult. My hope is we will get it.

Senator Barrasso. Thank you so much, Senator Carper.

Now I ask unanimous consent that the staff have authority to make technical and conforming changes to each of the matters approved today. With that, our business meeting is concluded.

[Whereupon, at 10:21 a.m., the meeting was concluded.]