

BUSINESS MEETING TO CONSIDER SUBSTITUTE AMENDMENT TO S. 4897,
AMERICAN NUCLEAR INFRASTRUCTURE ACT OF 2020 AND EIGHT GENERAL
SERVICES ADMINISTRATION RESOLUTIONS

Wednesday, December 2, 2020

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee, met, pursuant to notice, at 9:47 a.m. in room 406, Dirksen Senate Office Building, the Honorable John Barrasso [chairman of the committee] presiding.

Present: Senators Barrasso, Carper, Inhofe, Capito, Cramer, Braun, Rounds, Boozman, Wicker, Ernst, Cardin, Whitehouse, Merkley, Booker, Markey, Van Hollen.

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

Senator Barrasso. Good morning. I call this business meeting to order.

Today we will consider the American Nuclear Infrastructure Act of 2020, as well as eight General Services Administration resolutions.

Senator Carper and I have agreed that we will begin voting at 9:55. At that time, I will call up the items on the agenda. We will not debate the items on the agenda while we are voting. Instead, we will debate these items before we vote, and I will also be happy to recognize any member who still wishes to speak after the voting concludes.

Last month, I introduced the American Nuclear Infrastructure Act with Senators Whitehouse and Crapo and Booker. I want to thank all of them for their efforts to craft this important legislation. I also want to thank Ranking Member Carper for working with all of us to draft a substitute amendment that I actually believe will improve the bill. So I want to thank you, as well as I want to thank Senator Capito, who cosponsored the bill as well.

The American Nuclear Infrastructure Act will promote U.S. international leadership. It will preserve America's nuclear fuel supply chain; it will prevent more carbon emissions from

entering our atmosphere; and it will protect our economic, our energy, and our national security. Advanced nuclear technologies will be safer, smaller, and more flexible. These designs will provide additional, reliable, clean electricity in addition to the nuclear power that is available today.

The bill supports pioneers who are developing new ways to generate nuclear power. It also supports innovators who are exploring new ways to use it. We can further reduce our emissions and strengthen our security by incentivizing new technologies that allow for nuclear power to be used beyond the electricity sector.

Deploying new nuclear reactors will provide enormous environmental benefits. Innovation, not government regulations and taxes, to me, is the best way to address climate change.

American uranium should fuel America's nuclear reactors. Wyoming is the leading uranium producer in the United States, but American producers continue to be threatened by our foreign adversaries. Russia and its allies have unfairly flooded the global uranium market with cheap nuclear fuel. This hurts our businesses and it costs jobs.

The American Nuclear Infrastructure Act establishes a national uranium reserve. The reserve will ensure that America is not dependent on our rivals for our nuclear fuel.

Two years ago, this committee worked to pass the Nuclear

Energy Innovation and Modernization Act with overwhelming bipartisan support. I introduced that bill with Senators Whitehouse and Inhofe and Booker and Capito and Manchin and Crapo and Fischer. A bipartisan group of 11 additional members, including Senators Carper and Rounds and Duckworth, also joined as cosponsors.

That bill laid the foundation for the development of safety rules that govern new advanced nuclear technologies. It also increased transparency and predictability in how the Nuclear Regulatory Commission recovers its funding. President Trump signed that bill into law in January of 2019. The Nuclear Regulatory Commission continues to implement the law. While we move forward with today's bill, our committee will continue to oversee how our previous bipartisan legislation is implemented.

Again, I want to thank all the members of this committee for working with me to introduce and improve the American Nuclear Infrastructure Act. I am going to continue to work with them as we move forward with this legislation.

Last, we are going to consider eight resolutions to approve General Services Administration prospectuses. These will enable federal agencies to update buildings to ensure safety and consolidate space, resulting in increased efficiency and fiscal responsibility.

I would now like to turn to Ranking Member Carper for his

statement.

[The prepared statement of Senator Barrasso follows:]

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

Senator Carper. Thanks very much, Mr. Chairman.

Good morning, colleagues, and welcome to the last Senate Environment and Public Works Committee business meeting of the 116th Congress. Today marks the end of an era. It is the last EPW business meeting to be led by our friend and colleague, Chairman John Barrasso of Wyoming, better known as Bobbi's husband.

Mr. Chairman, we are proud of what we have accomplished on this committee these past several years by working together. I will just mention a few of those accomplishments if I may. In 2018, we passed a comprehensive reauthorization of the Water Resources Development Act, and we are on the cusp of doing so again, here, this year.

Last year, we unanimously reported out of committee the most significant highway funding bill the Senate has ever seen, one with a substantial climate title that is included in it. In addition, we have enacted a slew of wildlife bills that improve conservation efforts, protect habitat and the creatures that God has placed on this Earth with all of us, and we reached a consequential bipartisan compromise to enact a nationwide phasedown of HFCs. That is worth a half-degree Celsius alone in the battle against the climate crisis. We have to get that bill

passed and incorporate it into the omnibus bill literally today, I believe.

I would be remiss not to mention one of my favorite moments that we have shared together: when a nominee sat right in front of us, from Wyoming, a long-time friend of our Chairman, and testified at his confirmation hearing to be Assistant Secretary of the Interior. Your friend, Mr. Chairman, Rob Wallace, said these words: "Along the way, I have learned so much, especially that no one ever really wins by winning everything, that bipartisan solutions are always the lasting solutions."

Mr. Chairman, some of you may remember those that day, and I certainly do, but those words really struck a chord with me and a number of our colleagues as well. Because that is something all of us have learned along the way, too, that bipartisan solutions truly are lasting solutions.

When I reflect on our work together over the last four years, colleagues, it gives true meaning to those words, because that is exactly what we endeavor to do on this committee, and more often than not, we do it well. We foster lasting solutions to clean our air and our water and combat global warming while creating an environment that fosters economic growth and job creation.

So thank you, Mr. Chairman, and a special thanks to your staff, led by Richard Russell. Some of those folks on your

staff I suspect will go with you to the Energy and Natural Resources Committee, but a special thank you for bringing the timeless words into our lives of your friend, Rob Wallace, and into the work of our committee.

Coincidentally, this markup today falls on a monumental day for our Nation. Today is, as you may know, the 50th anniversary of the Environmental Protection Agency. Pretty amazing. Fifty years. In 1970, I don't know what the rest of you were doing, I was a young naval flight officer preparing to head out with my squadron on our first of three tours in Southeast Asia. As our Nation waged a war abroad, we faced deepening divisions and mounting environmental crises right here at home.

Polluters dumped waste into our waterways without consequence, factories released toxic fumes, and acid rain fell from the sky. In Cleveland, Ohio, just north of where I went to college at Ohio State, the Cuyahoga River was so polluted that it caught on fire. In California, where my squadron and I were stationed, an offshore oil rig spilled millions of gallons of oil onto the beaches. Many of us saw it with our own eyes. Smog in major cities around the Country was so thick, you could almost cut it with a knife.

In the face of all that adversity, the American people didn't just sit around and whine about it. They created a movement. Millions of Americans took to the streets calling for

transformative action to protect our planet.

In response, a Republican president, a Republican president, Richard Nixon, helped lead the efforts to create the Environmental Protection Agency, a new Federal agency with a mission of protecting human health and the environment. For 50 years, 50 years, the EPA has been instrumental in protecting our air that we breathe, cleaning up the water we drink, and improving public health.

So as we celebrate the strides made over the last 50 years to clean up our air, improve public health, it is all so timely that our committee is considering legislation that will help harness our Nation's potential for nuclear power, by far the largest source of clear, reliable, carbon-free energy in our Country, and make it safer still.

Today, we are considering the American Nuclear Infrastructure Act, as the Chairman said, of 2020, coauthored by our Chair and by Senator Booker and by Senator Whitehouse. We thank them for their collective efforts to support advanced nuclear technology.

During our committee hearing on this legislation in August, I shared some of my reservations, as some of you recall, about the bill, specifically, its proposed changes to the Nuclear Regulatory Commission's permitting process. Some of you may recall that we recently enacted the Nuclear Energy Innovation

and Modernization Act, affectionately known as NEIMA, which made several necessary changes to the NRC's regulatory structure for advanced nuclear technologies.

I feared that any additional and unwarranted changes to that structure could seriously disrupt the regulatory process, jeopardizing safety. I also expressed my concerns in creating a new but unfunded incentive program for existing nuclear industry at EPA would risk asking the agency to do more with far fewer resources.

Given the budget restraints placed on the NRC through NEIMA, it was important to me and some of our colleagues that this legislation would not further strain the NRC in a way that jeopardizes safety and public health. For six months, my staff worked with the Chairman's staff and other folks around this room together, and I am happy to say, that our substitute amendment resolves and addresses the issues and concerns that we raised.

I want to thank the Chairman, and I want to thank his staff for working with my staff. Supporting nuclear energy and advancing nuclear technologies is a high priority for many of us. So I am grateful that the Chairman's willingness to help us get to yes on this legislation has been successful. Always keeping our eye on safety.

Today, we are also moving eight General Services

Administration prospectus resolutions, including one for a Veterans Administration building in Hawaii. I know there are several of us here on this committee, including, I think, Senator Ernst, Senator Sullivan, and others that I may not be remembering right now, but they have served, I have served our Country in uniform, and I know we take a special privilege in moving that GSA resolution out of committee today.

I want to conclude my remarks by briefly sharing with my colleagues the passage of S. 4684, I think it was passed last night in wrap-up. It was introduced by a colleague and friend, Mike Enzi, one of his last bills, and it calls for the naming of a post office building in Thermopolis, Wyoming after its former postmaster, Robert Brown, the late father of Bobbi Barrasso, our Chairman's wife.

Robert Brown didn't just serve in the Army. He served with courage. He served with distinction, not just in World War II, but in Korea, as well. Many awards, many military awards, and recognitions, among them, the Bronze Star. He passed away earlier this year. What month was it, two months ago?

Senator Barrasso. On 9/11.

Senator Carper. On 9/11, at the age of 94.

Several months before his death, Mr. Brown was driven to a treatment facility in Montana hundreds of miles away. How far away?

Senator Barrasso. About 300 miles.

Senator Carper. Three hundred miles away, and later that day, driven back to Wyoming after receiving his treatment. His driver for that memorable road trip was his son-in-law, our Chairman, John Barrasso, a man of many skills: surgeon, talk show host, driver, and chairman of the committee that all of us revere.

So, my friend, as you weigh anchor this year and set sail for your next assignment on the Senate Committee on Energy and Natural Resources, we all wish you, as we say in the Navy, fair winds, and a following sea.

God bless you, Mr. Chairman.

[The prepared statement of Senator Carper follows:]

Senator Barrasso. Well, thank you so much, Senator Carper.

Bob Brown actually worked at that post office for 44 years and was postmaster there. Remarkable man and a great man of courage.

We have members here, and we are ready to vote. Let me just, before getting to that, I want to thank you for these wonderful years working with you as a partner. We have introduced, written, improved, passed, and implemented laws together, and we have done it in a cooperative and bipartisan way, and I could not have had a better partner.

I remember calling you when it looked like I was going to be Chairman of the committee, and asked if you were going to be the Ranking Member, and we had a long discussion. We said that we would work together, be honest with each other, open with each other, and work to improve our environment and the public works of this Country. With you as a partner, we have been able to do that.

For the benefit of all, we have done it in a bipartisan way. We haven't agreed on everything, but we have always followed that Mike Enzi rule: let's leave out the stuff we don't agree on, adopt the things that we do, which is how we got 21 people to unanimously vote for water infrastructure, highway infrastructure, because we made sure that every member was heard. It has been wonderful to work with you.

I know a number of members have additional places they need to get to, so with that, I am going to move ahead and as soon as we finish with the voting, I have Senator Whitehouse first, and then Senator Booker next to speak.

But now that we do have all the members here, I want to move to a vote on the items of today's agenda. Members who have not yet discussed amendments that they have filed may do so after the voting concludes. The Ranking Member and I have agreed to vote on the eight GSA resolutions en bloc by voice vote. We have also agreed to vote on accepting amendments to the Nuclear Bill en bloc by voice vote.

There has been a request for a recorded vote on final best passage of the Nuclear Bill, and therefore we will have a recorded vote on that final passage. Members may choose to have their votes recorded for specific items in the en bloc of pieces of legislation.

So now, I would like to call up the Barrasso-Carper Substitute Amendment to S. 4897, America's Nuclear Infrastructure Act of 2020. It was circulated last Friday. The Ranking Member and I have agreed that this substitute shall be considered the original text for purposes of amendments. Members have filed amendments to the substitute.

The Ranking Member and I have agreed to revise the filed version of the Van Hollen Number 1 to reflect necessary

modifications. I am pleased to accept revised Van Hollen Number 1. The Ranking Member and I have agreed to vote on Cardin Number 1 and revised Van Hollen number 1 en bloc by voice vote.

I would like to call up Cardin Number 1 and revised Van Hollen Number 1 en bloc and ask that members withhold discussion on their agreed-upon amendments until after we complete the voting. I move to approve Cardin Number 1 and revised Van Hollen Number 1 en bloc. Is there a second?

Senator Carper. Second.

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

[Chorus of ayes.]

Senator Barrasso. Opposed, nay.

[No audible response.]

Senator Barrasso. In the opinion of the Chair, the ayes have it. Cardin Number 1 and the revised Van Hollen Number 1 are agreed to.

Again, I am happy for members who want to discuss other amendments to do so after the voting concludes without offering them now. Any Senators seek recognition to offer an amendment?

Seeing no member wishing to offer an amendment, I move to approve the substitute amendment to S. 4897 as amended and report S. 4897 as amended favorably to the Floor. We will hold a roll call vote. Is there a second to do that?

Senator Carper. Second.

Senator Barrasso. The clerk will call the roll.

The Clerk. Mr. Booker?

Senator Booker. Yes.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mr. Braun?

Senator Braun. Yes.

The Clerk. Ms. Capito?

Senator Capito. Aye.

The Clerk. Mr. Cardin?

Senator Cardin. Aye.

The Clerk. Mr. Carper?

Senator Carper. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Ms. Duckworth?

Senator Carper. No by proxy.

The Clerk. Ms. Ernst?

Senator Ernst. Aye.

The Clerk. Mrs. Gillibrand?

Senator Carper. No by proxy.

The Clerk. Mr. Inhofe?

Senator Inhofe. Aye.

The Clerk. Mr. Markey?

Senator Markey. No.

The Clerk. Mr. Merkley?

Senator Merkley. No.

The Clerk. Mr. Rounds?

Senator Rounds. Aye.

The Clerk. Mr. Sanders?

Senator Carper. No by proxy.

The Clerk. Mr. Shelby?

Senator Barrasso. Aye by proxy.

The Clerk. Mr. Sullivan?

Senator Barrasso. Aye by proxy.

The Clerk. Mr. Van Hollen?

Senator Van Hollen. Aye.

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 16, the nays are 5.

Senator Barrasso. Can you repeat that, so I can hear you clearly?

The Clerk. The yeas are 16, the nays are 5.

Senator Barrasso. The yeas are 16, the nays are 5. We

have approved S. 4897 as amended, which will be reported favorably to the Senate.

I would now like to call up eight General Service Administration Resolutions en bloc. I move to approve the eight GSA resolutions en bloc. Is there a second?

Senator Carper. Second.

Senator Barrasso. All those in favor, say aye.

[Chorus of ayes.]

Senator Barrasso. Opposed, nay.

[No audible response.]

Senator Barrasso. The opinion of the chair is that the ayes have it; we have approved these resolutions. The voting part of the business has been concluded.

I am now happy to recognize any member who wishes to make a statement on the legislation or resolutions we have just approved. I do ask unanimous consent that the entire statements of the records of support of the American Nuclear Infrastructure Act be included in the record of today's meeting, without objection.

[The referenced information follows:]

Senator Barrasso. I would like to now turn to Senator Whitehouse.

Senator Whitehouse. Thank you, Chairman. Let me first say that this is the third, now, nuclear bill that this committee has approved in bipartisan fashion, the first being the Nuclear Energy and Innovation Capabilities Act, the collaboration bill, as I call it, and the second, the Nuclear Innovation and Modernization Act, which was the regulatory upgrade bill, and now this one, which has the support of environmental groups, of labor groups, of advanced nuclear companies and of industry groups.

I particularly want to thank Chairman Barrasso and Ranking Member Carper for their productive work to bring us to this place. I want to thank the cosponsors, many of whom brought significant improvements to the bill, including the improvements adopted by vote today.

To those members who are not yet comfortable with the bill, I look forward to continuing to work with you to try to resolve your concerns and advance the bill so that it can pass smoothly on the Floor. The three pieces of the bill that I want to focus on in my remarks are ones that I have been talking about for a long time, and I am really grateful that they are included.

The first is that this creates a mechanism to put a value on the carbon-free nature of nuclear energy. We have seen the

really unfortunate situation of safely operating nuclear plants being closed down for false economic reasons to allow natural gas plants to stand up, polluting natural gas plants, to stand up in their place. The discrepancy is that the nuclear plants don't get any value, any benefit, out of the carbon-free nature of their power. This will start us addressing that.

Second, as we address the next generation of nuclear power, we need to make sure that it is focused as much as can be on the existing nuclear waste liability of the Country as a fuel prospect. If we can turn that liability into an asset, that would be a remarkable achievement. But it is not going to happen without encouragement because the cheaper way to go is always going to be to use something new. So I appreciate very much the X Prize program towards reusing spent nuclear fuel in next-generation technologies.

Last, if we were a big corporation, our auditors would come in every year and would take a look at our nuclear waste stockpile, and they would put a mark on the company's books, saying this is a liability. Let's say it is a billion-dollar liability. That would give us, as a company, a \$999 million incentive to get that liability off our books, and we would be devoted to trying to clean up that nuclear waste stockpile problem.

That is not the way the United States works. It is not on

our books. So the report that this requires of what the liability cost is of that, we call it a stockpile, but a stockpile is usually a good thing. This is not a stockpile of good things. This is a huge environmental hazard and security hazard. The cost of disposing of that hazard will now actually be quantified, so at least we can discuss and provide value to the technologies that will help strip that away.

So with appreciation to all of my colleagues, including those who are not yet satisfied with the bill, I conclude my remarks and I will regret losing John Barrasso as Chairman here. I look forward to working with the next chairman.

I am not a member of Energy and Natural Resources, so there is a farewell here as well. I know you are not leaving the committee; you are just leaving the chair, and I hope we can find other good things to do together.

So thank you very much, Chairman Barrasso, farewell. Senator Carper, thank you for your terrific leadership of this committee as our Ranking Member in this Congress.

Senator Barrasso. Well, thank you so much, Senator Whitehouse. We have actually traveled the world together looking at the issues related to climate change and the impact. I know that the work that we are doing here in the committee is going to have a valuable role into the future of our world.

Senator Booker?

Senator Booker. Mr. Chairman, I am grateful and I want to thank you for your service as leader and for doing such good work in helping us to find, despite the differences between so many of the members, common ground that we can work on together and to actually make a significant difference in our Country.

Of course, I want to thank Ranking Member Carper, who, even though he is three or four years older than me, always makes me feel like I am out of shape. He has been an extraordinary leader as well.

Senator Barrasso. Just as a point of personal interest, so when he talked about that first founding, 50 years ago, the first Earth Day was 50 years ago, he was in the military, do you want to talk about what you might have been doing on that very first Earth Day, and how you celebrated?

[Laughter.]

Senator Booker. I am going to show some wisdom here and move on.

[Laughter.]

Senator Booker. I want to thank Senator Whitehouse for his extraordinary partnership on this issue, in general, as well as Senator Crapo for his partnership as well. Look, we have a climate crisis, and I believe that nuclear energy has a really important role to play as we work to transition to a net-zero carbon emissions as quickly as possible in order to avoid the

worst impacts of climate change, the devastating realities of where our planet is right now, which is in peril.

I am excited about a lot of parts of this bill, some of which were already highlighted by Senator Whitehouse. But I want to just really focus on three.

Right now, we have to understand that our existing nuclear reactors provide the majority of carbon-free electricity that is currently generated in the United States. Losing these plants prematurely, especially in a market that does not reflect fairness because they are not subsidized to the degree that should be reflected in the carbon that is created in other types of energy, this would be unfortunate. This would be wrong, and this would contribute to climate change, as opposed to helping to cure it. Preventing our existing fleet of nuclear reactors from shutting down prematurely should be an urgent cause if we are serious about climate change.

Secondly, this is an area of science that needs more research. We need more innovation. We have been losing our competitive advantage globally when it comes to research in this area. So the creation of an X Prize and other provisions, this bill will help facilitate the development of the next generation of advanced nuclear reactors.

A lot of the science that I have read over the last few years has shown incredible promise that these reactors can be

far safer, more economical, generate less waste than existing reactors, and really, some of the breakthroughs that are being foreshadowed could be out of science fiction in terms of what they could create. We can't allow the best of nuclear energy research innovations and breakthroughs to be cornered by other people around the planet. We need to be on the front lines of that, and this X Prize will help with that.

Finally, a big issue, and I am proud to be one of the cofounders of the Environmental Justice Caucus here in the Senate, and one of the urgent issues we have in this Country that is not talked about enough is the severe reality that many Americans do not have access to clean air, clean water, live in toxic environments that cause them untold human suffering.

This bill authorizes a billion dollars of new funding for the EPA to clean up abandoned uranium mines on tribal lands. These abandoned mines can be serious threats to public health for indigenous communities. Cleaning up this toxic legacy pollution should be an urgency for this Nation. It is an issue of environmental justice. It is, in many cases, and could be, rather, a life-or-death situation.

I am proud of the bipartisan work we have done in this committee and over the years related to nuclear energy, and I believe we have now crafted another very important piece of legislation. I look forward to continuing the work together,

and I want to thank you for the time.

Senator Barrasso. Thank you for your continued leadership on this and so many other important topics.

Senator Cardin?

Senator Cardin. First, Mr. Chairman, I do want to also join our other colleagues in congratulating you on your leadership in this committee. It really has been a pleasure to serve here as we have gotten constructive work done under your leadership and Senator Carper's leadership.

In the area of nuclear power, the accomplishments show, including what we are able to do today, so thank you. Nuclear power is critically important to this Country. As Senator Booker has pointed out, the reliance on nuclear power today is dramatic. It is carbon-free. It does help us with climate change.

But let's look at the realities. Our nuclear reactors are old, they need attention, and they need modernization and replacement. The economics of nuclear power today in the energy field is not as promising as it was when we started out on nuclear energy. So this legislation helps us deal with the realities of moving forward with nuclear power in this Country. I applaud you on the efforts in getting such strong support in this committee. Obviously, we still have some work to do.

I thank you for incorporating into the vote today the

amendment that I offered that increases the nuclear reactor incentives from two years to four years, which is more realistic on the needs that are out there. I thank you for incorporating that change.

On the other matter we took up today, I will be very brief, on the GSA Resolutions, I didn't object to any of them. I just want to make two observations. One, there is a courthouse renovation in Missouri for \$50 million. The justification is certainly very significant, safety concerns concerning a curtain wall. So therefore I did not object.

But I do point out, this was a building built in the 1990s. It passed with very high ratings by the Administrative Office of the Courts in 2012. We have still not resolved how we are dealing with new courthouses. I hope in the next Congress, we will take a stronger look at the maintenance and replacements of courthouses in this Country.

The second issue is that there is an FBI modernization in Ohio, which I support. But I hope in the next Congress, and I thank you for your leadership in dealing with the FBI headquarters here in the D.C. area, recognizing that there has been a need for a campus consolidation to replace the Pennsylvania Avenue facility, I really hope we will get back on track on that in the next Congress, and I thank you and Senator Carper for your leadership on this issue during this Congress

during some very difficult moments.

I think we will have, I hope, we will have a constructive way forward in the next Congress. With that, Mr. Chairman, I thank you again for your leadership.

Senator Barrasso. Well, thank you, Senator Cardin. As I said to Senator Van Hollen here, sandwiched between the two Maryland Senators, you know that from the standpoint of the Chesapeake Bay with my old Uncle Pete's Italian restaurant there in Dundalk, Maryland, that hopefully from their standpoint, I was a good partner in a bipartisan way on issues related to the Chesapeake Bay and the Patapsco River.

Senator Van Hollen. Thank you, Mr. Chairman. Thank you for your support on the Chesapeake Bay cleanup efforts together with Senator Cardin, Senator Carper, and others from the Bay State areas. I too want to thank you for the way you have conducted this committee during your tenure. I appreciate it, along with the Ranking Member. While we have had our disagreements on a number of issues, we have also been able to find common ground on a number of important measures.

On this bill, I do believe that the benefits outweigh the downsides, and I am supporting it. I think nuclear power is an important part of our energy mix, especially with respect to achieving our goals of combating climate change.

I think Senator Booker and others have pointed out that

more than half of the carbon-free energy produced in the United States comes from nuclear power. I think advanced nuclear reactors can play an important role in furthering our goal of addressing climate change. So I appreciate the elements in the bill on that front.

I will say, Mr. Chairman and Ranking Member, I would not have supported the bill but for the additional provisions in my amendment, and thank you for supporting that. We have to be very alert to the dangers of nuclear proliferation. While I think that advanced nuclear reactors have a promising role globally in terms of combating climate change, we also need to make sure that these fuels are not diverted for maligned purposes.

That is why, for the first time in this legislation, we will be providing a structure to address those important issues. So I am very pleased those are included in this bill.

I do have some serious concerns with certain elements of the bill, and Mr. Chairman, I just ask unanimous consent to include my full statement in the record.

Senator Barrasso. Without objection.

Senator Van Hollen. Thank you.

[The prepared statement of Senator Van Hollen follows:]

Senator Barrasso. I see both Senator Markey and Senator Merkley in the room. Would either of you like to be recognized? Senator Markey?

Senator Markey. Thank you, Mr. Chairman, very much. I wish we were celebrating today with a catered meal from Uncle Pete's Italian Restaurant in Maryland. What is really amazing is how no one would ever answer the question correctly from New Jersey or Massachusetts or Rhode Island, as to which State had two Italian Senators, and Wyoming, of course, is the Jeopardy answer that no one would ever guess in our Country.

So we thank you for your service, and Bobbi's, for all of these years here. Thank you.

While I appreciate the work that the Ranking Member and other members of the committee have done to improve the American Nuclear Infrastructure Act of 2020 on earlier versions, unfortunately, what the majority is doing today still represents a bad deal for the Country, the climate, and our environmental justice communities.

Inside this bill, there is a cash bailout of our Nation's most decrepit and uneconomic nuclear power plants, a bailout that could cost more than \$1 billion. This isn't cash for clunkers, this is clunkers getting cash.

Now, the majority will say that we need to do this to increase the reliability of our electric grid. Well, let me

tell you what has already happened this year in 2020 in the midst of a pandemic. The United States has added more than 33,000 new megawatts of new wind and solar. How many new megawatts of nuclear have we added? None. Zero. Last year? Zero. Year before? Zero. Next year? Zero.

My Republican friends will say that wind and solar isn't the same as nuclear. But even adjusting for the efficiency of wind and solar compared to nuclear, that is the same as adding 12 new 1,000-megawatt nuclear power units this year to the grid of the United States. Twelve 1,000-megawatt nuclear power plants, this year, and next year, and the year after, and the year after, and the year after, while we are waiting for the first nuclear power plant to come online in this generation. That would be just one plant that generated maybe 1,000 megawatts, maybe, one plant.

So, at the same time that the majority is trying to bail out the most decrepit, un-economic, poorly run nuclear plants in the Country, they are refusing to work with Democrats to extend the tax credits for wind and solar, which are supercharging our electric grid and our economy.

I would be willing to talk about a program to support nuclear power, but you just can't have one side of the conversation. You can't make it harder for wind and solar to succeed by propping up nuclear power at the expense of other

technologies.

If we subsidize old nuclear plants without planning for a long-term clean energy transition, that allows utilities to greenwash their portfolio. Providing additional help for existing nuclear power means these utilities could meet State and other clean energy targets without having to actually bring on any new clean energy generation. They are just meeting them with a decades-old fleet.

That is not going to solve the climate crisis, and we have already seen that start to happen in States with nuclear handout schemes. These programs aren't working to keep gas off the grid long-term. They are keeping new renewables off the grid, and even with the bailout, these decrepit plants can't be kept online forever. Without actually supporting new clean energy generation, we are just deferring the emissions crisis. That is not supporting a clean future. It is selling it off.

For anyone who thinks this nuclear bailout is a new idea, it is not. It is just one half of former Secretary Rick Perry's attempted bailout of the coal and nuclear industries. This idea to bail out our nuclear fleet is so old and outmoded that I think it would actually qualify for cash payments under this bill. This same old plan we see in this bill, payments to keep uneconomic plants on the grid, was opposed by everyone from the NRDC to the Heritage Foundation. In fact, this bill was opposed

by the NRDC, the League of Conservation Voters, and more than a hundred other groups.

I would like to ask unanimous consent to submit these three letters from these groups into the record.

Senator Barrasso. Without objection.

[The referenced information follows:]

Senator Markey. Not only that, this bill would roll back current prohibitions on foreign ownership of our nuclear plants, common sense prohibitions that have been on the books for nearly seventy years, and the bill also sets the stage for further undermining of our nuclear safety regulations.

Since the pandemic started, we thankfully haven't had any meltdowns at any nuclear plants or any terrorist attacks, despite the fact that plants and the NRC have tried to keep folks off-site when possible because of the pandemic.

But this bill would have the NRC view that track record during a pandemic as a lesson to learn from. The fact that we avoided tragedy is not a lesson; it is luck. But this bill would try to enshrine that luck into law for all plants everywhere, even after the pandemic is over.

Here is this bill's answer to ailing nuclear plants. We would start with cash payments to our most ancient nuclear plants. Then the bill would allow foreign entities to swoop in and buy them. Then after that, it would continue rolling back safety requirements and inspections that are meant to make sure nuclear plants can respond to armed terrorists, all while Republicans are blocking any conversation on renewable energy solutions. And we would do so without, in fact, talking about wind and solar storage battery technologies and other investments that are needed in order to move forward in the

future.

Just when you thought there couldn't be any more radioactive ideas tucked into the bill, it would also prop up the dirty, dangerous uranium mining industry by creating artificial federal demand for a toxic product. This bill would contribute to an ongoing environmental public health injustice crisis in the American West. Most at risk are the indigenous communities already devastated by mining pollution and the ongoing COVID-19 pandemic.

We already have a uranium mine contamination crisis in this Country, and we have a climate crisis in this Country. This bill is a Trojan horse; whole new problems masquerading as half solutions. For these reasons, I oppose this legislation, Mr. Chairman.

Senator Barrasso. Well, thank you very much, Senator, for your comments.

I would note that nearly two dozen organizations support the legislation, including environmental groups, such as the Clean Air Task Force, the Nature Conservancy, the Center for Climate and Energy Solutions, and A Third Way, as well as labor organizations such as the International Brotherhood of Electric Workers, IBEW, and the Utility Workers Union of America.

At this point, I ask unanimous consent that the staff have the authority to make technical and conforming changes to each

of the matters approved today, and with that, this business meeting is concluded. Thank you very much.

[Whereupon, at 10:26 a.m., the business meeting was adjourned.]