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U.S. Senate

Date: Wednesday, June 14, 2023

Committee on Environment  
and Public Works

Washington, D.C.

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## BUSINESS MEETING

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Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:04 a.m. in room 406, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Sanders, Whitehouse, Merkley, Markey, Stabenow, Kelly, Padilla, Fetterman, Cramer.

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

Senator Carper. Good morning, everybody. Welcome to the Environment and Public Works Committee. We are going to have a two-part show. In the beginning of it we will have a short business meeting to consider the nomination of Jeff Baran to serve a third term as Commissioner of the Nuclear Regulatory Commission. Once we have disposed of his nomination, we will turn to our hearing.

We have been joined by Shailen Bhatt, who is the head of the Federal Highway Administration. We welcome him and others who have joined us.

We need enough people to start talking, and when we get a few more people we will start voting on Jeff Baran. I thank everybody for coming.

Over the course of his tenure, Jeff Baran has played a critical role in ensuring that the Nuclear Regulatory Commission maintains its status as the world's gold standard for a nuclear regulatory agency. People ask me what the NRC does, they ensure safety with respect to all these nuclear power plants across the Country that are providing about half the carbon-free electricity for our Country.

I commend Commissioner Baran for his efforts to help safely advance our energy security and address climate change through

the work of the Nuclear Regulatory Commission. These include ensuring the safe licensing and operation of carbon-free nuclear technologies, such as the next generation of nuclear reactors and fusion energy as well.

Mr. Baran has also worked to provide opportunities for engagement and input from all stakeholders, especially those in disadvantaged and underserved communities. In addition, maintaining a full panel of commissioners will help the NRC to continue to carry out its responsibilities effectively and efficiently.

With all that in mind, I will vote yes on Jeff Baran's nomination. I urge our colleagues to join me in doing the same.

Let me yield at this point to Senator Capito. Senator Capito, please.

[The prepared statement of Senator Carper follows:]

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES  
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Mr. Chairman. We are here again this morning to consider, as we heard, the renomination of Jeff Baran to serve as a member of the Nuclear Regulatory Commission.

Two weeks ago, the committee supported the bipartisan Accelerating Deployment of Versatile Advanced Nuclear for Clean Energy, the ADVANCE Act, by a resounding 16 to 3 votes. So we are committed to the ADVANCE Act, which will help position the United States as the undisputed global leader of nuclear energy, including the next generation of advanced reactors.

Commissioner Baran's nearly nine-year record shows that he is not the right person for the NRC, especially at this critical time for nuclear energy and the emergence of new technologies. His votes and positions simply do not align with enabling the safe use of nuclear technologies that the NRC is expected to undertake in the coming years.

Throughout his past nomination processes, he has a history of telling the committee he supports advanced nuclear and then not doing so once he is in office. I will not belabor the point now, but I believe that it has been made before, including at the last business meeting.

Instead, I ask unanimous consent for my opening statement

from our last business meeting and as well as a letter of opposition from several pro-nuclear organizations to be entered into the record.

Senator Carper. Without objection, so ordered.

[The referenced information follows:]

Senator Capito. Based on his record, I will oppose his nomination. Thank you.

[The prepared statement of Senator Capito follows:]

Senator Carper. Let me thank everybody for joining us today. We will address the nomination of Commissioner Baran to serve another term. We have a quorum, so let's get started.

I call up Presidential Nomination 547, Jeff Baran of Virginia, to continue serving as a member of the Nuclear Regulatory Commission. I move to approve and report the nomination favorably to the Senate.

Is there a second?

Senator Cardin. Second.

Senator Carper. It has been moved and seconded. The Clerk will call the roll.

The Clerk. Mr. Boozman?

Senator Capito. No by proxy.

The Clerk. Mrs. Capito?

Senator Capito. No.

The Clerk. Mr. Cardin?

Senator Cardin. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. No.

The Clerk. Ms. Graham?

Senator Capito. No by proxy.

The Clerk. Mr. Kelly?

Senator Kelly. Aye.

The Clerk. Ms. Lummis?



Senator Capito. No by proxy.

The Clerk. Mr. Merkley?

Senator Merkley. Aye.

The Clerk. Mr. Markey?

Senator Markey. Aye.

The Clerk. Mr. Padilla?

Senator Padilla. Aye.

The Clerk. Mr. Mullin?

Senator Capito. No by proxy.

The Clerk. Mr. Ricketts?

Senator Capito. No by proxy.

Senator Ricketts. I am here.

[Laughter.]

The Clerk. Mr. Sanders?

Senator Sanders. Aye.

The Clerk. Ms. Stabenow?

Senator Stabenow. Aye.

The Clerk. Mr. Sullivan?

Senator Capito. No by proxy.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. Aye.

The Clerk. Mr. Wicker?

Senator Capito. No by proxy.

The Clerk. Mr. Chairman?

Senator Carper. Aye.

The Clerk. The ayes are 10, the nays are 9.

Senator Carper. The nomination is favorably reported. My thanks to everyone who changed their schedule to be here so we could get this done.

Now we are going to have the hearing with Shailen Bhatt, the Federal Highway Administration. Thanks, everyone for joining us. This concludes the committee's votes as part of the business meeting today. I thank all the members for their participation.

I will now recognize any member who would like to speak on the matter we have voted. Does anyone want to speak on what we just voted on, the nomination of Mr. Baran?

Hearing no requests, in closing, I am delighted that our committee has voted to report to the Senate the nomination of Jeff Baran to continue to serve on the Nuclear Regulatory Commission.

I would like to ask unanimous consent to submit additional materials related to this morning's vote for the record, including letters of support for Mr. Baran's nomination.

I also ask unanimous consent that the staff have the authority to make technical and conforming changes to the matters approved today. I would repeat those unanimous consent requests. Is there objection?

Hearing no objection, so ordered.

[The referenced information follows:]

Senator Carper. With that, our business meeting is adjourned. We will be getting ready to start the second half of the day-night header. Hopefully it won't extend into the nighttime. I don't think it will.

[Whereupon, at 10:10 a.m., the committee proceeded to other business.]